Anarchia Anglicana:

OR,

THE HISTORY

OF

INDEPENDENCY.

THE SECOND PART.

BEING

A Continuation of *Relations* and *Observations* Historicall and Politique upon this present PARLIAMENT,

Begun *Anno* 16. CAROLI *Primi.*

By THEODORUS VERAX.

Psal. 8. 8.

Virum sanguinum & dolosum abominabitur Dominus.

Diodor: Sic: l. 17. p. 517.

Τὰ κατὰ τὸν πόλεμον προτερήματα τὰ πλείονα διὰ τυχὴν ἐπιτυγχάνεται· Τὸ δὲ ἐν τῇ ἐξουσίαις ἔλεος διὰ μόνης τῆς φρονήσεως γίνεται.

Idem, l. 18. p. 594.

Philippus dicere solebat, Δημοκόποις τὸν μὲν πόλεμον εἰρήνην ἀπάρχειν, τὴν δὲ εἰρήνην πόλεμον

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BIBLIOTHECA BODLEIANA

To the Reader.

Reader, *having ſpoken to thee in the* First Part, *I might have forborne thee in this* Second, *did I not feare to ſeem guilty of the ſullenneſſe and malignity of theſe times. The ſubject-matter of my booke is a Combination or Faction of* Pſeudo-Politicians, *and* Pſeudo-Theologitians, Hereticks *and* Schiſmaticks, *both in Divinity and Policy; who, having ſacrificed to their Fancyes; Luſts, Ambition and Avarice, both their God and Religion, their King and Countrey, our Lawes, Liberties and Properties, all duties Divine and Humane, are growne ſo farre in love with their proſperous Sinnes, as to entitle God himſelfe to be Father and Author of them, from whoſe written Word and revealed will held forth to us in the Scriptures as the onely North Pole and Cynoſure of our Actions (where they find no warrant for their doing) they appeale to the ſecret will and Providence of God, to which they moſt Turkiſhly and Heatheniſhly aſcribe all their enormities, only becauſe they ſucceed: and, from that abyſſe of Gods Providence, draw ſecondary Principles of Neceſſity and Honeſt intentions, to build the* Babel *of their confuſed Deſignes and Actions upon; not conſidering that wicked Men performe the ſecret Will of God to their Damnation, as good Men doe the knowne will of their Father to their Salvation. If a Man lie ſick to death, and his Sonne wiſh him dead, this is a ſinne in the Sonne, although his deſire concurre with the ſecret will of God; becauſe the Sonne*

ought to desire the preservation of his Fathers life: whereto the will of God revealed in his word obligeth him: and, vivendum secundùm Præcepta, non secundùm Decreta Dei; *The secret will and providence of God can be no rule and law of our actions, because we know it not, nor can search into it without presumption: We must not therefore*, altum sapere, *think our selves too wise and well gifted to tie our selves to the Scriptures of God; and lust after Revelations and Inspirations, expecting God should rain Bread from Heaven for us*, (Manna, Exod. 16. 4.) *but be wise unto sobriety. But*, prosperum scelus, virtus vocatur: *Thus casting off the written word of God (unlesse where by an enforced interpretation they can squeeze Atheisme and Blasphemy out of it (as they doe sometimes rack Treason, Murder, and Non-sense out of our Lawes and Parliament-priviledges) conducible to their ends) they insensibly cast off God himselfe, and make themselves both the supreme cause and finall end, the* Alpha *and* Omega *of all their doings, whilst they use the Hidden and unsearchable Providence of God but as Disguise and vizard to Maske under, like* Cælius *the Atheist in* Martial. *Prosperity is become a snare to them, and a Topick place out of which they draw arguments to satisfie themselves there is no God, no Religion, but a prudentiall one to fool the People with.*

Nullos esse Deos, inane Cœlum,
Affirmat *Cælius*, probatque,
Quòd se videt, dum negat hæc, beatum.

But O wretched unholied men! What are they that thus commit Burglary in the Sanctum Sanctorum *of Gods Providence? That presume, not onely to prie into, but to thrust their hands polluted with blood and rapine into Gods mysterious Arke? Thus much for the subject matter. For the manner of my writing, I confesse, as to the style, it is not*

æquabile

æquabile ſcribendi Genus, *all of one weaving and contexture: It is a Hiſtory writ with a Satirique ſtyle and veyne:* ——— Nam quis iniqui,

Tam patiens orbis, tam ferreus ut teneat ſe?

It is a virtue to hate and proſecute vice. The Scripture tells us, There is a perfect hatred, a Holy Anger. *And our* Chaucer *tells us,* The words muſt be of kynne unto the deeds: *otherwiſe, how can they be expreſſive enough? I deteſt* vitia pulcherrimè mangonizata; *vice trick'd up in virtues rayment; and proſtituted under her modeſt dreſſe to ſtirre up Adulterers.* Quicquid agunt homines noſtri eſt farrago libelli. *A huge Gallymaufry, an* Oglio *of all villanies I here ſet before thee: it cannot be all of one dreſſing and ſeaſoning, it muſt be a mixture, a* Hogo *of all Reliſhes; like* Manna *in the Wilderneſs, it muſt be applicable to all Palates: wherefore according to the variety of every preſent ſubject-matter,* vel ridenti rideo, vel flenti fleo, *I become all things to all Men, I aſſimulate my affections and humors to every Mans humor as well as to the preſent Theme; that I may take every Man by the right hand and lead him out of this* Ur *of the* Chaldeans, *this Land of* Ægypt, *this Houſe of Bondage in* judgment *and* conſcience, *though not in* perſon *and* eſtate: *which muſt only be the mighty handy-work of that God who is able to divide the* Red Sea, *and give us a ſafe march through it upon dry Land.*

Which that he would vouchſafe to doe let us all joyne our harty prayers: and that we may inſtrumentally ſerve him in it, let us all joyne our heads, hearts and hands together, ſince God neglects faint-hearted and cowardly prayers: Let us not lie in the Ditch and cry, God help us. *But let us help God to help us; and keep* cor unum, viam unam, *in the doing of it.*

The Ordinance passed, 20. Aug. 1647. To null and void all Acts, &c. passed under the force of the Apprentices.

Die Veneris 20. Auguſt. 1647:

An Ordinance for Declaring all Votes, Orders, and Ordinances paſſed in one or both Houſes, ſince the Force on both Houſes, *July* 26 untill the 6. of this preſent *Auguſt*, 1647. to be null and void.

WHereas there was a viſible, horrid, inſolent and actuall force upon the Houſes of Parliament, on Monday 26. *July* laſt; whereupon the Speakers, and many Members of both Houſes of Parliament were forced to abſent themſelves from the ſervice of the Parliament: and whereas thoſe Members of the Houſe could not return to ſit in ſafety before Friday, the 6. *Auguſt*; It is therefore declared by the Lords and Commons in Parliament aſſembled, that the Ordinance of Monday, 26. *July*, for the Repealing and making void of the Ordinance of the 23. of the ſaid *July*, for ſetling of the Militia of the City of *London*, being gained by force and violence; and all Votes, Orders, Ordinances paſſed in either, or both Houſes of Parliament, ſince the ſaid Ordinance of the 26 of *July*, to the ſaid 6. of *Auguſt*, are null and void, and were ſo at the making thereof, and are hereby Declared ſo to be, the Parliament being under a force, and not free: Provided alwayes, and be it Ordered, That no Perſon or Perſons ſhall be impeached, or puniſhed for his or their actions, by or upon, or according to the aforeſaid Votes, Orders, or Ordinances, unleſſe he, or they ſhall be found guilty of contriving, acting, or abetting the aforeſaid viſible and actuall force; or being preſent at, or knowing of the ſaid force, did afterwards act upon the Votes ſo forced, or were guilty of entring into, or promoting the late Engagement for bringing the KING to the City upon the Terms and conditions expreſſed in His Majeſties Letter of the 12. of May laſt.

John Browne
Clr. Parl.

Titus Quintius apud Livium.

Discordia ordinum est venenum hujus urbis, Patrum & plebis certamina: dum nec nobis imperii, nec vobis libertatis est modus, dum tædet vos Patritiorum, nos Plebeiorum, Magistratuum, &c Proh Deum fidem! quid vobis vultis? Tribunos plebis concupistis, concordiæ causâ concessimus: Decemviros desideraſtis? creari passi sumus: Decemvirorum vos pertæsum est: coegimus abire Magistratu, &c. Tribunos plebis iterum creari volvistis, creastis. Consules facere vestrarum partium; patritium quoque Magistratum plebi donum fieri videmus. Auxilium Tribunitium provocationem ad populum, scita plebis injuncta patribus sub titulo æquandarum legum, nostra jura oppressa ferimus; Qui finis erit discordiarum? ecquando unam urbem, ecquando communem hanc patriam habere licebit?

Tullius pro domo sua, & pro Planc:

Non Comitiis judicat semper populus, sed movetur plerunq; gratiâ, cedit precibus, facit eos à quibus est maximè ambitus; deniq; si judicat non delectu aliquo aut sapientiâ ducitur ad judicandum, sed impetu & quadam temeritate; non est consilium in vulgo, non ratio, non discrimen, non diligentia: semperque sapientes ea quæ populus fecisset ferenda, non semper laudanda duxerunt.

Et pro Muræna.

Nullum fretum, nullus Euripus tot motus tantos, tot varias habet agitationes fluctuum, quantas perturbationes & quantos æstus habet ratio Comitiorum: Dies interviſſus unus aut nox interposita sæpe turbat omnia; & totam opinionem parva nonnunquam commutat aura rumoris: sæpe etiam sine ulla aperta causa fit aliud atq; nos existimamus: ut nonnunquam ita factum esse etiam populus admiretur, quasi verò non ipse fecerit.

Contzen: pol. l. 1. c. 21.

Roma ann. 400. quibus inter Reges & Cesares libertatem se habere professa est, in perpetuo certamine ac tumultu vixit.

Tacitus, *an.* 1,

Discordantis patriæ non aliud remedium esse, quam si ab uno regeretur.

1. Sam. 8. 6.

Restitue nobis regem ut judicet nos.

THE SECOND PART OF *The History of Independency.*

MY First part of *Relations and Observations Historicall and Politique upon this present Parliament*, begun *Anno Dom.* 1640. *anno Car. primi*, 16. is divided into two parts or Books, [*The Mystery of the two Juntoes, Presbyterian and Independent*,] wherein I shew with what art (to advance their designes) the Grandees divided the Houses into the said two Factions; which Factions entertaining the Quarrell in earnest, their respective Grandees were forced to turne their jest into earnest too, for upholding their Authority, with their severall Parties: not unlike Butchers, who, in a Country Market set their Doggs together by the eares in sport, and at last owne their Dogs quarrell themselves in earnest. The second Book is, [*The History of Independency*,] wherein I shew the *Rise, Growth, and Practises of that Party*; which being full of schismaticall quick-silver, restless and stirring, and tenable by no Oaths, Principles, Promises, Declarations, nor by any obligations or Lawes divine and humane, doth now enjoy the fruits of their perfidiousnes or treachery, a Conquest gotten over their Adversaries by pretending, protesting, and false promising, which they attribute to the Bounties and Mercies of God: and from the successe of their villanies argue most Turkishly his blessings over them; and as Jewishly arrogate to themselves to be the peculiar People and Saints of God, although he useth them but as a Rod in his hand to scourge the sinnes of the other Party, and of the whole Kingdome. It is the usual method of Gods justice not onely to punish one sinne

1 The Procme.

by another, but one Sinner by another; nay, a lesser Sinner, by a greater: and at last to receive the humble and corrected Sinner into *Abrahams* bosome, and cast the insulting Executioner of his wrath into the fiery fornace of his anger. In my aforesaid [*History of Indepency*] you have that Faction conquering: In this *Continuation* or *Supplement* of the said History, I represent them to you triumphing, using and abusing their Victories to the dishonour of God, destruction of the King, beggering and enslaving of the Kingdome, depriving us of our Religion, Lawes, Liberties and Estates, and consequently, making our Wives and Children the objects of our feare, despair, and ill boding doubts, not the objects of any comfort and joy we can take in them whose miseries we foresee, but cannot help. When I consider the intricacy of this my undertaking, how perplexed it is, how intangled with various changings, counterchangings, revolutions, revolvings, and betrayings of Parties, (such are all Civill Warres, but especially those where the most uncivill and barbarous sort of men, the dregs and lees of the People swim at top) how full of divisions, and subdivisions; insomuch that they who are Friends, and hold together in one Interest or Faction, are Opposites in another. Methinks my labour is as vaine as his that attempted to take the Picture of *Proteus*; or his, that endeavoured to shape a Garment for the Moone: when God brought a Confusion but of Lips and Tongues upon *Babel*, what Man was able to reduce them into order againe? But God hath brought upon us a Confusion, a *Babel*, not onely of Lips and Tongues, but of Heads, Heart, Hands, &c. What Historian can find a method in so universall a *Chaos*? can draw light out of so palpable a darknesse? Besides, I foresee my reward to be envie, hatred, malice, contempt, slanders, sequestration, beggery, imprisonment, and at last an Arbitrary death without any Legall Tryall, proceedings, Jury, Judges, or Court, or any knowne established Law to judge by; *Obsequium amicos veritas odium parit.* I have already followed truth so neer at the heels (although but a private retainer to her) that almost all my teeth are secretly stricken out: what dare they not now do openly against me? since by murdering our King, dis-inheriting his Posterity, subverting Monarchicall Government, abolishing the house of Lords, and perverting the House

House of Commons, setting up new Representatives; with Supreme and Legislative Power, and new Coures and Jurisdictions against all Lawes, they Proclaime themselves Conquerours of King, Parliament, and Kingdome, Victors of our Religion, Laws, Liberties, & Properties, & Triumphers over our Persons, Wives, Children, and Estates? since they professe their will & power, to be the only Laws & Rules of their doings, and our sufferings. But when I consider, that as no mans innocency, so no mans reservednesse can protect him; but that some men must die (according to *Cataline's* rule) to make up the number, others to multiply confiscations, others to satisfie private suspitions, malice and revenge, & many must die to cement and foment this new erected Tyranny with their bloud, I thought it as easie & more honourable to die waking and working for my God, my King, and Country, than to die sleeping, and have my Throat cut in a Lethargy. I know these Schismaticks thirst as much after bloud, as they hunger after money: and I am sure to be involved in the common and inevitable ruine of my Country, why should I not rather perish for it now, then with it hereafter? It is more manly, more noble, more Christian; *Dulce & decorum est pro patria mori*; was the saying of an Heathen, why not of a Christian? Religion, Lawes, and Liberties, lie now at stake; why should not I come in for a Gamester? it is a mixt cause, and he that dies for it is a Martyr. He that feares Death, must be a slave to those Tyrants that carry the Sword; he that feares poverty, must be a Villaine to those *Judasses* that bear the Purse; but he that feares God, will borrow strength from him to contemn them both; Thus putting my trust in God, I put pen to Paper, and my life into the scales, where God (I know) holds the ballance; he whose providence takes notice of a Sparrow falling from the house-top, will watch over me, and either protect me against them, or receive me from them.

Cromwell and *Ireton* (by advice of their thriving Junto of Independents in the two houses) having mutinied the Army against their Masters the Parliament, found that crime could not be defended but by committing greater: wherefore they seized the Kings Person at *Holdenby* to gain Authority with the People, that they might the better subdue the Parliament to their lusts:

2 An Introductory Repetition.

See my I. Part of the *History of Independency*, sect. 7. 8. 9: 10. for 11, 13, & 14.

for the better expediting whereof, they courted the City of *London* to sit Neuters, and let them work their wills with the Parliament; which Myne not taking fire, they united the schismatical Party of the City and Countrey to them, and all such as being guilty of publique cheats and spoyles, desired the protection of the Sword to make good their rapines: and accounted all men else as Enemies; applying themselves to wooe and cajole the People; easily wrought upon, as being weary of the Warre, and of the Mis-government, Factions, confusions and oppressions of their new Masters the Parliament; which indeed were very great, but aggravated by them and their Agitators beyond the truth: and the whole waight of them charged upon the more moderate and innocent Party, (onely because they were their Opposites) whereas had they set the saddle upon the right horse, as sure as *Judas* bore the Bagge, the Independents must have rid before the Cloakbagge; they being the Publicans and Sinners that handled most publique treasure. The Layers on, Exactors, Treasurers, &c. of Taxes, the farre more numerous and busie party in all Mony-Committees, and gainfull Employments, Engrossers of all great Offices; and the greatest Sharers of publique money amongst themselves for Compensations for Losses, and Rewards for Services pretended; and consequently, that Faction were the greatest Dilapidators of the Common-wealth, Oppressors of the People, and Authors of confusion, though (according to custome) by an impudent fallacy, called (*Translatio criminis*) the Independent faction lay their Bastards at other Mens dores, making a shew to redresse those faults in other men, which themselves are chiefly guilty of: wherefore the better to ingratiate themselves with King and People they printed and published Engagements, Declarations, Remonstrances, Manifestoes, Proposals, and Petitions of their owne penning, and sent them by their Agitators and sectary Priests into all Counties for concurrence and Subscriptions: the better to steal the respects of the People from the Parliament to themselves, like *Absolom*, they flattered the People to make Addresses and Complaints against publique Grievances to them onely: Boasting themselves for the sole Arbitrators of Peace, Restorers of Lawes, Liberty, and Property: Setlers of Religion, Maintainers of the priviledges of Parliament,

Refor-

Reformers and Callers to Account of all Committees, Sequestrators, Treasurers, &c. Deliverers of the People from that intolerable Excise, and other Taxes: But above all, preservers of all just Interests, and Restorers of the King to his just Rights and Prerogatives with *honour*, *freedome*, and *safety* to his person, (originally there owne words, though since they Quarrell with Parliament & City for using them) & Reducers of his Queen and Children; without which they openly professe and declare positively in many printed papers to the world and the Parliament, There can be no setled peace nor happinesse to this Nation. The truth of this Assertion was obvious to the meanest Capacities, and will sodainly be proved by deare and lamentable experience To all these undertakings they now hunt directly counter, yet in pursuance of these undertakings, the Army (by their own Authority) made addresses to his Majesty, and presented to him more tolerable Proposalls then any he could obtaine from his Parliament: They treated with him, yea they wrought upon him underhand to neglect the Propositions from Parliament tendred to him at *Hampton-Court*, and to preferre the Proposals of the Army; and then (presuming they had him fast limed) they propounded to him a new (as I have it from good hands) private proposalls for the Interest of the Independent Grandees and the Army, derogatory to the Kingly power and Dignity, to the Lawes, Liberties and properties of the Subject, and destructive to Religion. To which his Majesty giving an utter denyall, they began to entertaine new Designes against the Kings Person, and Kingly Government, which they ushered in by setting the Schismaticall and Levelling Party on work in City and most Counties, to obtrude upon the Houses clamorous Petitions against further Treaties, and demanding exemplary Iustice against the King: exceedingly laboured by

Booke of Declarations of the Army page. 112.

Represent: of the Army at S. *Albons*, *Iune* 23. 1647.

B Decl. againe, p. 64.

Sir *Tho. Fairfax's* Letter to the Houses from *Reading*, *July* 6. 1647.

B. Decl. againe, p. 75.

Propositions of the Army, *Aug.* 1. 1647 *Putney* Projects, p. 13. 14. 43. and my Animadversions upon the Armies Remonstrance, delivered to the Commons, *Novemb.* 20. 1648.

The second part of *Englands* New Chains; and the Hunting the Foxes from *New-Market* and *Triplo Heath* to *white hall* by five small Beagles, p. 6. 7.

See my Animadversions upon the Army Remonstrance, *Nov.* 20. 1648. and *Putney* Projects, p. 43. and Major *Huntingtons* relation in a Book called, A Plea for King and Kingdome, in Answer to the Army Remonst: presented *Novemb.* 20. 1648. pag. 14. 15. 16. and second part of *Englands* New Chains; and the said Hunting of the Foxes, &c. And the reasons inducing Major *Robert Huntington* to lay down his Commission.

Cromwell himſelfe in *Yorkeſhire* hath amongſt the Gentry and Soulditers, &c. (amongſt theſe the Petition, *Decemb.* 11. 1648. was the moſt eminent) theſe men that inſolently Petitioned againſt the fundamentall Government of the Land, and Peace by Accommodation, were entertained with Thanks; Others that Petitioned for Peace by Accommodation were entertained with Frowns, disfranchiſings, ſequeſtrations, wounds and death, as the *Surrey* Gentlemen; this ſhewed with how little reallity the ouer-ruling party in the Houſes treated with the King. In order to this Deſigne of laying aſide the King, and ſubverting Monarchy, they 1. frighted his Majeſty into the Iſle of *Wight*. 2. The Parliament (that is, the predominant party) purſued him thither with offer of a Treaty upon Propoſitions: conditionally (that before he ſhould be admitted to Treat) he paſſe 4. Dethroning Bills; of ſo high a nature, that he had enſlaved the People, ſubverted Parliaments, and had made himſelfe but a Statue of a King and no good Chriſtian, had he by his Royall aſſent paſſed them into Acts of Parliament: and the Parliament (or rather the Grandees) after his Royall aſſent, might have made themſelves Maſters of all the other Propoſitions without his Conſent: ſo that this Treaty was but a flouriſh to dazle the eyes of the world. His Majeſty therefore denied the 4. ſaid Bills, and thereby preſerved the legall intereſt of King, Parliament, and People; yet the Faction preſently tooke a pretence and occaſion thereupon to lay aſide the King, by paſſing 4 Votes for no more Addreſſe, to him; and a Declaration againſt him: which were not paſſed without many threats, and more ſhew of force then ſtood with the nature of a free Parliament, the Army lying neere the Towne to back their Party: the deſigne having been laid before hand between Sir *Henry Vane* Junior, Sir *Iohn Evelyn* of *Wilts*. *Nath. Fiennes*, Solicitor *Saint Iohns*, and a ſelect Committee of the Army. I told you before the People had been throughly inſtructed formerly by the Army and their agitators, That *there could be no Peace nor happineſſe in* England, *without reſtoring the King to his juſt Rights and Prerogatives, &c.* notwithſtanding which the People now found their hopes that they deluded by the Army and their Party; who had caſt off the King upon private diſcontents, the true grounds whereof did not appeare;

2. part of *England's* Chaines diſcovered.

1. Treaty in the *Iſle of Wight*.

1 par. Hiſt. Ind. ſect. 62. 63. 64.

Ibidem ſect. 65, 69, 68, 69, 70, 71, 72. 74. 75. And my ſaid Animadverſ. p. 10. And the 2. part of *England's* new Ch:

2. part of *England's* new Ch: diſcovered. P. 4. 5.

and

and had obtruded all waies to Peace and Accommodation, and made them dangerous and destructive to such as travailed Peaceably in them, witnesse the sad example of the *Surrey men*, *Kent*, *Essex*; and all to perpetuate their great places of Power and profit. The minds of the people therefore troubled with apprehension that our old Lawes and lawdable forme of Government should be subverted, and new obtruded by the power of the Sword, sutable to the lusts and interests of these ambitious, covetous Men; and finding beside evident symptomes of a new Warre approaching to consume that small Remainder, which the last warres had left; grew so impatient of what they feared for the future, and felt at present (insupportable Taxes, Free-quarter, insolency of Souldiers, Martiall Law, Arbitrary Government by Committees, and by Ordinances of Parliament changed and executed at the will and pleasure of the Grandees, instead of our setled and well approved Lawes) that despaire thrust them headlong into Armes in *Wales*; *Kent*, *Essex*, *Pontefract*, *&c.* and at the same time a cloud arising in *Ireland*, a storme powred in from *Scotland*, and the *Prince* threatning a tempest from sea; these concurrences looked so black upon the Independent Grandees, that they gave way to a second mock-Treaty in the *Isle of Wight*; which was the fruit of their cowardise and subtilty, as appears be Sergeant *Nickolas* (a creature of theirs) who (upon Saturday, *Octob.* 28. 1648) moved in the House, *That the Lord* Goring *might be proceeded against as a new Delinquent out of Mercy*, because he had cuggeled them into a Treaty, though now they attribute all to the Kings corrupt Party in the two Houses: the Army likewise kept a mock fast or day of Humiliation at *Windsor* to acknowledg their sinnes, and implore Gods mercy for their former disobedience to the Parliament in not Disbanding, and their insolent Rebellion in Marching up in a Hostile and Triumphant posture against the Parliament and City, *August* 6. 1647. promising more obedience hereafter, and to acquiesce in the judgment of the Parliament, and Declared, *That it was proper for them to act in their owne sphere as Souldiers, and leave state affairs to the Parliament*: but this was done but to recover a good opinion of the people and City, and to keepe them from stirring, and to stay the moderate

2. Treaty in the *Isle of Wight*.

Decl. *June* 14. 1647.

rate Party of the two Houſes from Declaring the Army Enemies, recalling and Voting their Commiſſions, and eſtabliſhed Pay voyde, which they might have done with ruine to the Army and their party in that Conjuncture of Affaires, and with ſafety to themſelves, and applauſe of all honeſt men of *England* that had taken part with the Parliament from the beginning; had not ſome Grandees of the rigid Presbyterian party (both within and without the Houſes) ſome curſed thing, ſome *Achans* wedg in their boſomes which ſuggeſted, Their ſinnes were greater than could be forgiven; and therefore they durſt not caſt downe the partition wall between them and the King (this Army) though it leane ſo hard upon them, it is ready to overwhelme them; Warre is neceſſary for ſome men of every Faction, whoſe crying ſinnes peace will lay open and naked to the ſcorne, deriſion, and deteſtation of the world. How well theſe ſanctimonious Sword-players of the Army have obſerved the Duties and Undertakings of their ſaid Humiliation, let the world judge: Have they not returned againe with the Dogge to the Vomit? have they not couſened God, and their owne Soules? Sure they faſted from ſinne then, that they might ſinne with the more greedy appetite now; and asked God forgiveneſſe of the old ſcore, that they might ſinne againe upon a new ſcore. Thus you ſee the 2. Treaties in the *Iſle of Wight* were begotten by feare and (that Idol of the Independents to which they offer up all their knaveries) Neceſſity. They were Cockatrice Eggs layd by their Grandees when they had been Crow-trodden by Armies from abroad, and Tumults at home; upon which they ſate abrood onely to hatch Scandalls and new quarrels againſt the King, Anarchy and confuſion to the State, and Tyranny and Oppreſſion of the People: to ſet up the Olygarchy of the Saints, or Councel of State, the Kingdome of the Brambles, which ſince doth ſcratch the wool from off the skin, the skin from off the fleſh, the fleſh from off the bones. I have been compelled to uſe ſome introductory Repetitions in this part of my diſcourſe, that I may give you the whole myſtery of the 2. Treaties with the King in the *Iſle of Wight*, with the cauſes efficient, and finall of them under one view; leſt ſome one link of the chain eſcaping your obſervation it become a Chaine of errors to you.

See my 1. part ſect. 65. 66. 105. 106, 107, and the Concluſions there. Sect. 16. 17. 18.

My

My firſt part of the *Hiſtory of Independency* ends with that which was but an unlucky preface to a Treaty with the King; namely, *Cromwel's* menacing Letters to the Speaker of the Houſe of Commons, dated *Auguſt* 20. 1648. Relating his eaſie purchaſe of a great Victory over Duke *Hamilton*, and Leiut. Gen. *Bayly*; wherein he relates the number of the Scotiſh Forces, farre differing from the former Report of Leiut. Col. *Osborne* a Scotiſh Gentleman, made in the Houſe of Commons, *July* 20 (whereof I have ſpoken in my firſt part) who (to take away the terror of them) eſtimated *Hamilton* and *Langdales* conjoyned forces to be but 10000. and it was then thought a note of diſaffection to report them any more; but this Letter (for the greater glory of his ſanctified Army) multiplies them to be 21000. The manner of the fight was very ſtrange and exceedingly to be ſuſpected (eſpetially by any man who hath heard or read of *Baly's* former demeanour in his own Country at *Kylſythe* and *Auforte-Kirke*) It was little better then a bearing up of Quarters for 20. Miles together (for ſo farre the Scots Army lay ſcatered in their Quarters, the Horſe ſo farre diſtant from their Foot, they could bring them no ſeaſonable reliefe) Sir *Marmaduke Langdale* with his ſmale Party drew forth, and made an honorable reſiſtance, had he been timely and ſtrongly ſeconded: on the Scotiſh Party the Fight began at *Preſton* in *Lacaſhire*, where the Duke being worſted retreated to *Wigon*, from thence to *Warrington* thorow Lanes and Faſtneſſes, where *Bayly*, Leiut. Generall of the Scotiſh Foot, being Strongly quartered upon a Bridge and Paſſe, yeilded up 6000 Foot and Arms without fighting, and ſo ruined his whole Infantry: from *Warrington* the Duke fled with 4000. Horſe to *Namptwtche*, from thence to *Utoxeter*, where his manner of yeilding himſelfe to Colonell *Wayte* (a Member of the Houſe of Commons) take out of *Waits* owne report in the Houſe, who ſaid, *the Duke yeilded ſimply, and without any Articles of Surrender, that he voluntarily gave him his Sword, Scarfe, Signet of Arms, and his George; that he hung upon him ſo that he Could not get from him, deſiring him to ſecure him from the rage of the Soul-diers; ſaying, He had not come into* England, *but that he was invited by a greater part of Lords, Commons, Citezens & Covenanters then called in the laſt Scotiſh Army*: preſently the Bloud-

3 *Hamilton* over-throwne.

See my 1. part. ſect. 136.

Sect. 110. 111

hounds of the Faction in the House vented this, and called upon *Wayte* to know whether he named any? *Wayte* Answered, that *Hamilton was a subtile, politique Lord, and no doubt (for the saving of his own life) would doe that in more convenient time.* Hereupon a Committee (all of Canibal Saints) was presently packed, and ordered to go downe and examine the Duke, but no particulars could they get from him: which was an honourable silence, and made amends for his former lavish speech. It was happy the *Prince* did not trust himselfe in the Head of this Army. Had *Hamilton* marched immediately to *Colchester*, or but to *Pontefract*, (which he might easily have done, *Lambert* his onely Opposite still retreating before him) the whole Country had risen with him. But he knew the Presbyterian party had rendred themselves contemptible, and he as much contemned the Independents, therefore he foreslowed his march. willing *Cromwell* and *Fairfax* should subdue all other Parties, and that he onely might have Armes in his hands to bring in the King upon his own terms; this over-confidence undid him: He was too much a Statesman, and too little a Souldier.

4. The insolency of the schismaticall Members upon report of this Victory.

This Victory did work like Botled-Ale with *Scot*, *Thomson*, *Cornelius Holland*, Sir *Henry Myldmay*, and many others of the lighter-headed Saints, who were so puffed up with the windinesse of it, that they began to swell with disdaine and malice against the Personall Treaty, and to threaten and insult over all that had either petitioned for it from abroad, or spoke for it in the House, as the onely means for peace and a settlement.

5. The wiser sort subtlely continue a mock-Treaty.

But the wiser sort (more crafty to do mischiefe) knowing, that the people were weary of Taxes, and the Army, and had no hopes of peace but by a Personall Treaty; and were resolved to purchase peace, although at the price of a new Warre: that *Colchester*, *Pontefract*, *Scarborough*, and a Castle or two in *Kent* were not yet reduced, the people in *Wales*, *Kent*, *Essex*, the *North*, not yet setled in such a calme, but that a new storme might arise: a considerable party of the *Scots* yet unbroken in *England*, and fronting *Cromwell* and *Lambert*, under the command of *Monroe* a daring, knowing, and uncorrupted Commander; *Scotland* it selfe not yet assured to them: and above all, the *Prince of Wales* with a strong Fleet at Sea, likely to raise new tempests at Land, had

had he landed some men in *Kent* or *Essex*, to gather up the malecontents there but newly scaterd and broken, and ready to adhere to any party to defend themselves from the fury and rapines of their Committee; *Warwick* but a fresh-water Admirall, lying in the *Thames* under protection of the Block-houses, and relying upon Land-Souldiers to awe the Mariners from mutinying; a cloud arising in *Ireland* ready to breake into a storme: upon these considerations, the Caball or close Junto of Grandees thought fit to dally on the Treaty, the better to keepe the Prince quiet, in expectation thereof, and gaine time to worke upon his Sea-men, (already corrupted with want of worke and pay) and to gull and pacifie the rest of the Members and People (not patient of a sharper remidy) untill *Oliver* had quite finished his Northerne worke and marched neerer *London*, *Colchester* reduced, and the *Princes Fleet* retired to Harbour to avoid Winter; and then to breake off the Treaty, and purge the House of those Members that sought Peace by an accord with the *King*, under the notion of *the King's corrupt Party*; to blind their eyes therefore, the *Speaker Lenthall* (though at this time the Fore-man of *Olivers* shop) when it was debated in the house, *Whether a Treaty should be had with the King in the Isle of* Wight *upon the Propositions of Hampton Court?* The Question much opposed, and at last put, the *Noes* and the *Yeas* were equall, 57. to 57. in so much that the Speakers voice was put in to turne the scales, he gave his voice in the *affirmative*, that time following his conscience against his Interest, and my Lord *Say* (openly in the House of Lords) said, *God forbid that any man should take advantage of this Victory to breake off the Treaty*: and the *Armies Scout*, from Tuesday *Novemb.* 14 to *Novemb.* 21. 1648. propounds three Riddles to the Reader, 1. *Why the Grandees of the Junto that use to rule the Army are the most active Solicitors for an Agreement of the Parliament with His Majesty when the Army are Acting to the contrary?* 2. *Why his Majesty stumbles only at the matters wherein the Presbyterian interest are concerned, when that Faction is the only visible prop to his life, Crowne, Dignity, and dying interest?* 3. *Why the Souldiers Petitions for Justice upon his Majesty were ill resented, and they thought worthy to be Tryed by a Councell of War, as Offenders, yet a Remonstrance was then framing by the Grandee Officers to the*

same purpose, and much more against the present Authority? and in this the Generall concurres.

6. New Instructions to *Hammond* in order to the Treaty. Sect. 132.

The next thing taken into consideration in relation to the Treaty, was, the giving new Instructions to *Hammond* the Head-Goaler, how to demeane himselfe in the Treaty; which had formerly been Voted to be in the *Isle of Wight*, with *honour, freedome and safety to his Majesty*: The Instructions were, 1. *That the King should enjoy the same liberty during this Treaty that He had at* Hampton-Court. 2. *That no Person excepted out of mercy, none now Imprisoned by the Parliament, nor none now in actuall Armes against the Parliament should be admitted to come to the King.* 3. *That no forein Agent should make any Addresse to Him without leave of both Houses.* Against these Instructions it was argued, *That some of them contradicted the former Votes That the King should Treat in Honour and Freedome, and that he should enjoy the same Liberty He had at* Hampton-Court, *which could not be so long as He was denied to correspond with other Princes his Allyes (with whom he was in leagne and amity) by their Ambassadors & Agents, a Royalty inseperable from the Crown, allowed Him at* Hampton-Court, *and to deny it was implicitely to dethrone Him.* To which was Answered, *That this was true of a King in actuall exercise of his Regall power, which this King neither is, nor ought to be untill He hath given satisfaction to His Parl: That it was a great condescention in them, and below the Dignity of a Parliament to recall their Votes of Non Addresse, and put the businesse of the Treaty thus forward; and if He would not accept of a Treaty upon such conditions as the Parliament thought fit then things would be but where they were.* The peaceable moderate party perceiving what opperation the Scottish Victory had already upon the fancies of those hot-headed Men, knew they must speake mannerly and modestly for fear of correction, and mast take what they could, since they could not have what they would. 4. *That the King should give His Royall word not to remove out of the Island during the Treaty, nor in 20 dayes after, without consent of the two Houses:* this was to make his chaines a linke or two longer, yet the King did give his Royall word accordingly.

7. The Earle of *Warwicks* Letter to *Derby-hous* complaining of his Sea-men.

Thursday *Aug.* 24. a letter came to the Committee of Safety at *Derby-house* from the Earl of *Warwicke*, complaining of the perverseness

perverseneſſe of his own Seamen, and that thoſe with the *Prince* would not yet ſtoop to the Gods of Gold (his owne words) *That ſome other way muſt be thought of beſides force to undermine the Prince, that ſince they had ſubdued their Enemies by Land, it would be a good preparative to worke upon their Enemies by Sea with the ſame Engine.* You ſee theſe Saints having gotten the publique Purſe into their hands, are (at the peoples coſts and charges) bountifull Corrupters of other mens faith, having none of their owne.

8. A Committee to make effectuall the Sale of Biſhops Lands; and cajole the City

About this time a new kind of pick-lock was invented to open the iron Cheſts and Counter Boards of the City; and invite them to throw more money after that they had caſt away already in purchaſe of Biſhops Lands; namely, *a Committee to conſider of a way to ſecure unto the Purchaſers the Money they had already diſburſed upon the ſaid Lands; and to remove all impediments in the Sale for time to come.* To which Col. *Harvey* ſaid, *That he had experience in the late defection of the City; that the Men moſt backwards in the Parliaments ſervice, were ſuch of the Preſbyterians as had no engagement upon Biſhops Land; whereas others of the ſame Party that have intereſt in the ſame Lands, are as forward as any the beſt affected.* Here you ſee what it is that chaines the affections of the City to this Parliament, and what it is that divides them amongſt themſelves; ſelf-reſpects makes them run along blindfold with the Grandees in any deſigne or faction. A good bargaine makes a bad Man; *Harvey* needs no other preſident but himſelf, nor no more viſible monument then his exceeding cheap bargain of *Fulham-houſe* and *Manour*, which hath changed him from a furious *Presbyter*, to a Bedlam *Independent*.

9. A Commiſſion into the North to enquire what damages they have ſuſtained by the Scotiſh Invaſion.

About this time it was Ordered *That Commiſſions ſhould be iſſued forth into the Northern Counties, to enquire what Damages they have any waies ſuſtained by* Hamilton's *Invaſion?* This device was of a twofold uſe. 1 *To cut off the Scots demands for mony due to them for their laſt Brotherly aſſiſtance, and otherwiſe* 2. *To cajole the poor Country into a belief they ſhall have reparation againſt the Scots and raiſe them into a clamorous complaint againſt the Scots; and at laſt a deadly feude when they ſhall find their hopes denied by them and diſapointed.* In the meane time they are patiently eaten up with Taxes and Free-quarter, and while they looke for what

they shall never have, they lose what they have already. This was the much applauded invention of Master *St. Ihons* of *Lincolns Inne.*

10 *Colcheſter* ſurrendred, with the ſequele thereof.

About this time the newes of the Surrender of *Colcheſter* inflamed the Antimonarchicall faction from a Feaver to a frantick Calenture. They yeilded to *Mercy*, and within 4 howers after Sir *Charls Lucas* and Sir *George Liſle* (for the better explanation what Independent Mercy is) were *Shot to death*; ſome attribute it to an old quarrell between him and Generall *Fairfax*, others thinke it was done to put an *affront* upon the King and the Treaty: Colonell *Farre* was likewiſe condemned by the Councell of Warre at the ſame time, but is repreived as a witneſſe againſt the Earle of *Warwick* when time ſerves; for when *Warwick* long ſince waited at the Commons Dore with ſome Ladies to petition for a Repreive for the Earle of *Holland*, a Souldier of the Guard inſolently told him, *he had more need Petition for himſelfe.*

11 Inſtructions for the Commiſſioners to Treat with his Majeſty.

Inſtructions for the Commiſſioners to Treat with the King were debated: The Independents propounded, *That theſe Propoſitions that were moſt advantagious to the Parliament ſhould be firſt debated, and if the King did not confirme them all, the Treaty to breake off*: But it was held unreaſonable in any Treaty, *that one Party ſhould bind himſelfe before the Concluſion, and leave the other at Large, and himſelfe in the lurch*; ſo it was Ordered, *they ſhould be Treated of in order as they lay, and (according to his Majeſties deſire) nothing binding to either party untill all was agreed of.* The next ſtumbling block caſt in the way was, *that ſeeing 40 daies only were alowed for to Treat, that they ſhould limit how many days (and no more) ſhould be ſpent in Treating upon every ſeverall Propoſition*: But this was looked upon as a cavill to make void the Treaty, and ſo overruled; you ſee what uſe theſe men that gaine by War make of their Victories.

12 A debate what Gentl. ſhould be alowed to attend his Majeſty in the Treaty

The next thing debated was, *the Liſt of ſuch Gentleman as were named to attend the King in this Treaty*: the moderate party excepted againſt *Aſhburneham* (a great man with *Cromwell*) and *Legge*, as being priſoners to the Parliament: The Independents excepted Dr. *Shelden*, *Hammond* and *Oldſworth*, for the ſame reaſon; but the next day the Speaker moved, that *Legge* and *Aſh-*

burneham

burnham might goe to the King; and to ſatisfie ſuch as had objected their Imprilonment againſt them, the Independents alleaged they were unduly impriſoned, and moved, a Committee might be appointed to examine the cauſe of their Reſtraint: but the moderate alleaging the ſame reaſon for the ſaid three *Doctors*, and making the ſame motion for them; there was no farther proceedings therein.

13 Maſter *Pryns* Speech in the Houſe; proving the Kings conceſſions to be a ground for a ſettlement.

Thus farre I have breifly ſet downe the preparations towards a Treaty; the Treaty it ſelfe betweene the King in the *Iſle of Wight*, and the Parliaments Commiſſioners; their Reports of the Reſults to the Houſes; and the Houſes Debates and Votes upon them tooke up almoſt all the time untill the 6 *Decemb.* 1648. (ſome few buſineſſes of no great moment intervening) many imperfect and partiall Relations of them have been printed *cum Privilegio*; but Mr. *Will: Pryn* in his excellent Speech made in the Houſe of Commons, *December* 4. 1648 and ſince printed, hath ſet downe all the moſt materiall Arguments on both ſides, with great candor and ingenuity, and hath confuted the Enemies to peace and Accommodation: if ſtrength of Reaſon can confute thoſe men that follow onely their own Intereſts of power and profit, whoſe wills and luſts have alwayes been their owne Lawes, and are now become the onely Lawes of this Conquered Kingdome; I love not *actum agere*, I referre my Reader therefore to his Speech, and will only trouble him with ſome Obſervations upon this Treaty.

14. The *Militia*, and Negative Voice, ſect. 62, 63. 64. 106. & the Concluſions 15. 16. 17.

I have ſaid ſomething of the *Militia*, and the Kings *Negative Voice*, in the 1. part of this Hiſtory, eſpecially in the *Concluſions* at the latter end; I will onely ſay that without them the King cannot be a Governing King, but a bare Titular King, a picture, a ſhadow, becauſe the protection of the People depends upon the power of the Sword: He cannot protect them and their Lawes with the Scabards: The Authority of the Scepter followes the power of the Sword; wherefore to give away one, is to loſe both, nor can the Subjects be any longer His Majeſties Subjects, but Slaves to their fellow Subjects, when ſo many petty Kings (not authorized by any Law of God or Man to protect the people (ſhall hold the Sword over their Heads, and diſtract them with different Opinions, diſagreeing Commands, according to the

the variety of their severall lusts, factions, and interests: how can the King according to his Coronation Oath and duty (to which God hath called him) Governe and protect his people, when he hath given away his Sword to a factious Parliament, where one party tirannizeth over the other, and threatens the other with the longest Sword? how absurd and impossible it is for the Subject to expect protection from one hand, and to sweare and pay Allegiance to another hand that hath divested it selfe of all power to protect them, let our Lawes, the practice of all Nations and times, and the judgment of the learnedst Polititions tell you, whose Maxime is, *Illa optima est Respublica ubi Princeps quàm maximum potest boni, & quàm minimum mali; Primò ne nova Tributa indicere, nova vectigalia constituere possit, inconsultâ Republicâ: Deinde legum condendarum anti quandarumque pœnes Rempublicam, non unnum aliqnem Magistratum esse debet potestas; nulla enim in re gravius peccatum admittitur, nusquam graviores turbæ minantur quàm hesse de rebus*; That is the best forme of Governement, where the King can doe most good, and least evill. 1. Let Him be disabled to raise new Taxes, and lay on new Tribute. 2. Let Him not have the sole power to make or repeale Lawes which ought to belong to the Common-wealth; not any one Magistrate; for no power is more hurtfull to the people, nor stirs more Commotions then these two: such is the Kingdome of *England*; the King hath neither the power of our purses, nor the changeing of our Lawes in his hands, and if he give away his Sword, he will be such a King of clouts as can do neither good nor evill, like *Rex Sacrificulus* at *Rome*, *ea summa potestas dicitur, quâ secundum Leges non est major neque par*; such was the Dictator at *Rome*, he had no equall there; *Papir curser dictator*, adjudged to death his Generall of the Horse *Fabius*, for fighting against his commands though prosperously; and rejected all appeale to the Senate and tribunes of the People; yeilding at last only to their prayers, with this saying, *Vicet tandem imperii majestas*: such is the King of *England*, the Common-wealth cannot compell him to grant a Pardon, or dispence justice or mercy as they please; the Oath of Supremacy calls him *Supreame Governour in all cases, over all Persons*, so do all our Statutes, to whom in Parliament (which is his highest sphere of Majesty) is

1. part. sect. 40. 41. 42.

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the last appeale by Writ of Error, who is, *Principium, caput & finis Parliamenti*, the beginning, head and end of the Parliament: and therefore he onely calls the Parliament, to advise with him, and dissolves it when he is satisfied: He makes Warre & Peace, and is Protector of the Lawes, and of all just Interest; onely the policy of the Law disables him to make, repeale, or alter Lawes, or raise Monies without consent of both Houses by Bill passed; (which is but an *Embrio* untill he quickens it by his Royall Assent) because this way the King may doe most hurt, and wrong to his people, (as I have already said) it being the wisdome of our Lawes to keep the Sword in one hand, and the purse in another.

See the 1. part of this History *Prolegomena*. 1

15 The 1. Proposition for justifying the Parliaments, and condemning his own quarrell.

The 1. proemiall Proposition for *justifying the Parliaments Cause and Quarrell*, and *condemning His own Cause and Party*, was a bitter pill; but an earnest desire of peace sweetned it, and guilded it over, and invited him to swallow it without chawing or ruminating upon it: but how deviliſh, unchristian, and illegal a use the Faction have made of this extorted confession, let God judge.

16 The Covenant endeavoured to be put upon the King.

Their insisting upon it, *that the King should take the Covenant*, was an errour in policy, whereof the rigid Presbyterians are guilty; they (supposing the King would take it at last) stood upon it, and intended thereby to joyne the King to their Interest and Party. The more subtile Independent knew the King would not, nor could not take it; and therefore complied with the Presbyterians in obtruding it upon him, to break off the Treaty: many things in the Covenant were vaine in the Person of His Majesty, as, *that He should swear to maintain His owne Person, &c.* which the law of nature binds him to without an Oath, which in this case is idle, and a prophaning of Gods name: some things in the Oath were contradictory to what the Parliaments Propositions desired of him, *to maintaine His owne Authority in defence of Religion, Lawes, and Liberties*, which was impossible for Him to doe unlesse he kept the *Militia* in his owne hands, and his *Negative Voice* also, which that clause in the bill of *Militia*, *That all Bills for leavying Forces should have the power of Acts of Parliament, without the Royal Assent, &c.* would have deprived him of, by making their Ordinances Acts of Parliament in effect,

binding to the Persons and Estates of the People in an Arbitrary way, to their utter enslaving: *To sweare to Abolish Bishops &c.* was against his Coronation Oath; *To swear to extirpate Heresies, Schismes &c.* is more then the Independents would permit; *To swear to maintaine the Union between the two Nations*, which the Parliament declare already to be *broken by the Scots Invasion*, is vaine: besides, how unjust a thing was it to impose that Oath upon the King, when most Members of the Parliament, Army, and others, are left at large not to take it? The Parliaments Demands, *That the King should declare against the Marquesse of* Ormonds *proceedings to unite all the Interests of* Ireland *for the service of his Majesty*, was no part of the propositions upon which the Treaty was begun, but a subsequent request upon an emergent occasion; and therefore I see no reason why the King should have given any Answer to it, but onely have held himself to the originall Propositions, yet he did Answer, *That the whole busines of* Ireland *was included in the Treaty, and therefore a happy Agreement thereupon would set an end to all difference there*, which being voted *unsatisfactory*, and moved that a *new Declaration might be published against him*; the King was inforced to put a stand to the Marquesses proceedings by his Letter, to his great prejudice: yet these Declarers against him do now comply with *Owen Roe Oneale*, and have entertained *O Realy*, the Popes Irish-Vicar-generall in *England*, to negotiate for the Irish massacring Rebels with the Parliament: These things considered, prove what I find in our late King *Charles* the 1. most excellent Book, Chap. 18. *That it is a Maxim to those that are Enemies to peace, to aske something which in Reason and Honour must be denied; that they might have some colour to refuse all the rest that is granted.* More observations upon this unlucky Treaty I will not trouble my Reader with, these being enough to shew the vanity of those Propositions; by these he may take a scantling of the rest, *ex pede Herculem.* I cannot but blame the indiscretion, if not the indisposition of those Commissioners who cavilled away so much time in the Treaty, untill *Cromwell* had done his worke in the North, and marched up to Towne to make the Treaty ineffectuall.

17 *Jones* complaines by letters that *Irel.* was like to be lost.

About the latter end of *Octob.* 1648. Col. *Jones* sent whining Letters

Letters from *Dublin* to the Steers-men at *Darby house*, complaining that *all Ireland was like to unite and prosecute the Kings Interest*, and therefore he cried *for help*: but neither the said Committee in their consultations, nor the Army in execution of what was resolved could agree amongst themselves: The Engrossers and Monopolizers of Olygarchy into a few hands, desiring to make themselves a Corporation of Tyrants, suspect an opposition from the Levellers; and would faine turne them out of the Kingdome, into *Ireland*, to seek their fortunes, and practice their Levelling Principles in a strang Land: The Levellers (more numerous in the Army, though lesse numerous in the said Committee) straine courtesie with their betters, and would have them goe first; thinking the seeds of liberty and equality will prosper better in the soyle and ayre of *England*; while they were disputing, if Marquesse *Ormond* had been acting (as he had been, had not the King been necessitated to retard him, by his said Letters, sent from the *Isle af Wight* during the Treaty) the King had recovered that Kingdom intirely to himself, which had been of great advantage to him.

18. The Remonst. of the Army to the House of Commons, *Nov.* 20. 1648.

The 20 *Novemb.* 1648. Col. *Ewers*, with seven or eight Officers more, Presented at the house of Commons Barre a thing called (by those that use to miscall things) *An humble Remonstrance of the Army*: it is founded upon these five Anarchicall principles, 1, *That themselves and their faction only* (whom they call exclusively, the well-affected, Godly, Honest Party, the Saints) *are the People of* England; all the rest but Philistins, Amorites, or (at the best) but Gibeonits. 2. *That their interest only is the publick Interest of the People.* 3. *That the People* (that is themselves) *are the only competent Judges of the peoples safety* (contrary to the Lawes and practise of all Nations, which bestow that prerogative only upon the Supreme Magistrate) but it may be here lies hid another subsequent principle, *That they are the Supreme Magistrats, armed with supreme Authority, as wel as with their swords*; and hereupon, they as good as tell the House, *That if their supposed dangers be not removed, and those remedies which they Remonstrate admitted, they shall make such appeale to God* (that is their Sword) *as formerly they have done.* 4 Principles is consequentiall to the 3. *That they may drive on their designe* (upon pretence

of necessity, self-preservation, honest intentions, providence, or revelation) *against all powers, Formes of Government, and Lawes whatsoever*, under colour of that much abused Maxime, *Salus Populi Suprema Lex esto*, the safety of the People is the Supreme Law; which hath been the fruitful Mother of many Rebellions in all Ages, to serve the corrupt ends of ambitious Persons; who usually fish in troubled waters to attaine to those ends which they could never arrive at in setled Government. This is a Principle or new light discovered by Major *Huntington*, *That it is lawfull to passe through any formes of Government, for accomplishment of their ends, and therefore either to purge the Houses, and support the remaining Party by power everlastingly, or put a period to them by force*: and themselves imply as much in this Remonstrance, p. 43. saying, *It cannot be safe to accommodate with the King, because if He returne, and this Parliament continue long and unlimited, He will make a party amongst them; He hath bid fair for it among the Commons already, and the Lords are his own out of Question; and therefore we dare not trust the King amongst them.* Againe they say, *That if the King come into the Parliament, He will be looked upon as the Repairer of Breaches, Restorer of trade, peace, plenty, &c. and if the Army should keep up (as it must) upon Taxes, the Houses and Army will be looked upon as Oppressors, and the jealousies & discontents of the people be increased against them, and make them apt to joyn issue with the Kings interest, and may yeild us up a sacrifice to appease the King and his Party*; out of these words, and their own practice, I conclude for them, *ergo*, They may carry on their Designe, upon necessity for self-preservation, against the Monarchicall Government, and Law of the Land, to *murder the KING*, as they have since done. Againe they say, *If the King were returned each Party would strive first, and most to comply with Him, ergo*, there is a necessity to subvert the Kingdome and *murder the KING*. Behold what use these cowardly Saints make of necessity, and self-preservation. 5. *That they may appeale to their Sword against the Authority of any their Governours, in order to publique safety*; which two last conclusions set the doore wide open to Faction and Rebellion: since the People are ever floating and given to change, & every turbulent ambitious fellow is apt to raise them into a storme against their Governours, for

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their fabulous assertions wherewith these Saints usually guild over their foule actions, 1. *That the Houses were free when they passed the 4. Votes for Non-Addresses.* 2. *That they were not free when they recalled them.* 3. *That the People were quiet and contented untill the recalling those 4. Votes; and afterwards were unsetled, and presented clamorous Petitions.* 4. *That the Army did not apply themselves to the King untill he proffered Himself to them.* 5. *That when they made Addresses to him, twas but to prevent the Presbyterian Party.* But it appeares, their ayme (from the beginning) was to suppresse the Presbyterian, and advance their owne party, and lay by the King, and domineer over Him and the Kingdome; for when *Cromwell* had brought his Designe to perfection, he said at *Kingstone, That he was as fit to rule the kingdome as Hollis.* 6. And then but hipothetically. All these are sufficiently confuted in my said *Animadversions*, and in the said Plea for the King and Kingdome, in *Putney Projects*, and in my *First part of the History of Independency.* After all this tedious stuffe aforesaid, they make propositions to the Parliament of two sorts, all founded upon the said five Antimonarchicall Principles; The first for *satisfying publique Justice*, (that is, for the Hang-man to teach the Judges who they shall Sentence to execution) 1. They demand, *the Person of the King may be brought to speedy Justice*; this affront they put upon the Parliament when they were neer conclusion of their Treaty with Him: when He had already granted more to his Subjects, than ever any King condescended to: this is through the sides of the King to give Monarchy, the fundamentall Government, and Lawes of the Land, and consequently the Liberty and Property of the People, their Deaths wound. By the Law of God, nature, reason, and the Lawes of all Kingdomes impunity is an inseparable prerogative of Kings, as they are Supreme in their Dominions; the *Petition of Right* 3 Caroli, Declares, *That they had no Power to hurt the Kings Prerogative*, much lesse (I think) to hurt his Person; the Lawes are the Kings Lawes; Courts, the King Courts; Judges his Judges; Great Seale, his Seale; the Writs, the Kings Writs;

Sect. 65. 66. 68 69. 70. 71. 72, 73. 74. 75. 88. 89. 97. 98.

The Kings Supremacy, and from thence his indempnity proved:

See the Oaths of Allegiance Supremacy. Stat. of Recognition, 1. *Jac. Cokes* Institut. 5. 1. *Stamfords* Pleas of the Crowne, l. 1. ch. 1, 2. Stat. 25. *Edw.* 3. 42. *E* 3. Read Mr. *P yns Memento* to the unparliamentary Iunto, his Speech in the House of Commons, 4. Dec. p. 72, 73, 74, 75. 76, 77. and my 1. part, sect. 106. The Conclusion sect. 17. and my Animadversions, p. 18.

the Justice and Peace of the Land are his, consequently the Wars his Wars; he is the fountaine of all Authority as well as of all Honour; *Thou shalt not speake ill of the Governour of the People*: therefore not accuse him. The King hath no Superior nor equall in *England*, contrary to that false distinction of the *Observator*, that he is, *Major singulis, minor universis*. When *David* would have gone forth to Battle, his Army disswaded it, using these reasons, *If wee flee they will not care for us, neither if halfe of us die, will they care for us: But thou art worth ten thousand of us*: here you see the King is reckoned, *Major universis*, more than all his Army; and yet that Army was (at that time) in effect, all the well-affected of the Land; and therefore (by the Anarchicall Principle aforesaid) the only People of the Land: for further proofe hereof, I appeale to all our Lawes and Statutes, how will they Trie him? who shall Judge him? who are his Peeres, that he may be Legally tryed like a Freeborne man (for sure they cannot deny him that right) according to *Magna Charta, per legale judicium parium suorum?* It is a grounded Maxime in our Lawes, *The King can do no wrong*; wherefore then will they Trie Him, for doing no wrong? The policy and civility therefore of our Lawes, (and of our Parliament to in all their Declarations, Remonstrances, so long as they continued in any state or degree of innocency) alwaies accused his Evill Counsellours and Ministers, and freed Himselfe, lest they gave advantages to ambitious men, *Absolon-like*, to scandalise and dishonour him: and render him low and vilde in the eyes of the People; to the disturbance of the Peace of the King and Kingdoms, and shaking of the Royall Throne which is alwaies accompanied with an earth-quake of the whole Land. * Saint *Peter* bids us, *Submit to every ordinance of man for the Lords sake, whether it be to the King as supreme, or unto Governours, as those that are sent by him.*

* 1 Pet: 2. 13. Here the King is called *Supreme*, not the *People*; and though said to be an ordinance of man in some respects, yet St. *Paul, Rom.* 13. saith, He is ordain'd of God: 2. Governours are distinguished, the King is Supreme, and Governors are sent by him, & his Commission. Besides it appears, *Gen.* 3. 16. & 4. 7 God gave not to all men that freedome which is supposed the foundation of supremacy in the people; He made them not masters of their own liberty, for even then he laid the foundation of obedience in *Abell* to *Cain*: *Eve* to *Adam*. If a people choose a King, it is the act of every particular man, of whom the Commonalty consists; and each individuall, nor the whole Commonalty can give him more power then himselfe hath. But no man hath power over his own life, neither abitrarily, nor judicially; but only over his Liberty, which he may so give away, as to make himselfe a subject, or a slave, this makes him so chosen a Ruler, or Protector of them, who have parted with their liberty, and subjected to him; and then God, (who only hath power of life and death) invests the King with power to be the Minister of God, to execute vengeance not bearing the Sword in vaine, *Rom.* 13. See Dr. *Hammonds* Letter to the L. *Fairfax Jan.* 5. 1648.

As free and not using your liberty for a cloak of maliciousnesse, but *Feare God, Honour the King*: But these rebellious Saints abusing Christian liberty for a cloak of malitiousnesse, will (according to their 4th Antimonarchicall Principle) make the giddy, ignorant, tumultuous, many headed multitude Judges of their King, and make the confused Rabble his Superiours, thereby setting up two Superiours one contradictory to the other, and so turne the Kingly Government into a popular Military Government, aboliſh our Lawes, and leave all to the power of the Sword in an Arbitrary way, to carry on their designe; to which purpose they have lately caused their Journey men, the present House of Commons, to Vote, (contrary to our known Lawes) *That the Supreme Authority of this Nation is in the People of England*, and therefore in themselves as their Representative. This is a 6th Anarchicall Principle of the Army and their Party, who wanting reason to prove it, assert it by the Authority of their Mock-Parliament, and must now make it good by the Sword to justifie their proceedings against the King and People. These popular principles are meer empty notions, whereby the Grandees draw the supreme Authority thorow the People to themselves, the better to enslave them; for the liberty of the Commons doth not consist in a licentiousnesse to interrupt the Government of their Superiours, and change the Government according to their fancies; but the liberty of the People consists in enjoying the fruits of their labours, their goods, possessions, estates, and their personall liberty, according to the knowne Lawes of the Land. When *Harry Martyn* in *Berksh.* forbade the People *to stand bare at the Sessions, and doe homage and fealty to their Lords*; he gulled them, and gave them that which was not their due, to rob them of that which was their due, their Horses, Goods, Money, plundered from them, for service of the State (forsooth) and beat them that defended their own; so that while he flattered them to be the supreme Authority and Lords Paramount, and the Parliament to be their Servants; he used them like Slaves conquered by the Parliament. Besides, it is not all the People, nor the thousandth part of them, but a few covetous, ambitious men, that desire to bring the King to capitall punishment, and subvert our fundamentall Government and Lawes, that have usurped the

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power of the Kingdome into the hands of their Faction, and now require this to keep themselves from being called to account The second demand tends to Dis-inherit his Posterity, viz. *That the Prince and Duke of York come in by a day appointed, and acquite themselves of their capitall Delinquency, or else to be Declared incapable of Government, and to die without mercy, if afterwards found in the Kingdom*; this Summons is but to insinuate their guilt; if they refuse to appeare, as reason tells us they must and will. This is to shut the dore after Monarchy, and keep it out for ever; in farther pursuance, they demand *the Revenue of the Crown* to continue still in Hucksters hand to pay *publique Debts*, and repair the Losses of the People, (that is) themselves: The second sort of Propositions are, for setling of the Kingdom upon their owne Grounds and Interest. 1. *That a certain period be set to this Parliament, by which time the Supreme trust in them may returne unto the People*: that is, still to themselves and their Faction, the new erected Committee of State, the hogen mogens at *Whitehall*. Thus you see having removed out of the way the King, the first and most visible legall Authority; they will now put downe the Parliament, the second visible Authority of *England*, who are now the onely Bulwarke against the Tyranny of the Sword, and then (as Major *White* said at *Putney* long since) there will be no visible Authority left in *England* but the power of the Sword, which wil introduce a new Parliament, or rather fantasticall new invented Representative (destructive to Parliaments) all of their owne Creatures; as appeares by their next Proposition, concerning succession of Parliaments. 2. *That none shall be capable of electing, or being Elected, that have engaged against the publique Interest* (that is, the Interest of them and their Party, as appears by their 5. Anarchicall Principles in the beginning of this Paragraph) *nor any that oppose this Agreement*: By what Authority (but the arbitrary sway of the Sword) shall Freemen be Disfranchised, & lose their Birth-rights for not changing the fundamentals of Parliaments, Government, and Law, and

This is so explained by the *Moderate* (one of the railing Pen-men of the Faction, who hath a large share in the 500, or 600 li. a yeare allowed to these Pamphletiers, for divulging State lies and slanders amongst the People) who from *Novemb.* 14. to *Novemb.* 21. 1648.) Number 19.) defineth the People of *England* to be only such as have not engaged for the King; and such as shall signe to the Agreement of the People, which is to be above law; and all the rest are to be Disfranchised.

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yeilding them up to the lusts of an Army of Rebels, that brage they have Conquered the Kingdome, and weeare their slaves? 3. *That elections may be so distributed, as to render the House of Commons a Representative of the whole People,* (that is, tagge and ragge and Canting Beggers, who have nothing to give or lose, as well as Free-holders) so farewell Writs of Summons, and all orderly, legall forms; if all men, without any distinction, may Elect, and be Elected, all will fall into confusion; the rabble will never agree, all things will tend to Riots and Tumults; so that the better and soberrer sort will, and must forbeare, and leave all in the hands of the Rascality, and at last no Representative will be chosen; or such an one, as the People will be ashamed to own, and will desert them, and leave them to be ordered at the pleasure of the Army. 4. Prop. *That our Kings hereafter may be Elective, and disclaime a Negative Voice:* how frequent Civill Warrs are in all Elective Kingdoms during the *interregnum*, or space between the death and the old, and choise of the new King, how obnoxious to the souldiery, let the old Emperours of *Rome*, those later of *Germany*, the Kingdome of *Poland*, and heretofore *Bohemia* and *Hungary* tells, all Histories are full of examples; yet if our Elective Kings shall have neither the *Militia*, nor a *Negative voice* in Councells, and the *Crown Revenues* be otherwise disposed of (as is inferred) and their Heads exposed to the humours of the People, or their Representative, the Office wil be so unworthy of any wise man, that I do by these presents freely give my voice to the Lord *Fairfax*, and so unfit for any honest Gentleman; that I doe hereby give my voice to *Cromwell* the perfideous Brewer; catch who catch can, let them agree amongst themselves. I care not which of the two shall be set up for the new States Scar-crow. This *Remonstrance* was about a Week after seconded with a most insolent threatning *Declaration*, composed altogether to terror; it was occasioned as followeth. About the latter end of *November*, the Parliament was informed the Army was upon their march to *London*, whereupon (not without great opposition by the Armies Party in the House, and with great caution it should be mannerly phrased for feare of angring his insolency) a Letter was Voted to be sent the Generall, forbidding his neerer approach. In contempt whereof

the Army immediatly printed the said *Declaration*, accusing the Parliament of *Breach of Trust, Lightnesse, Inconstancy, Indiscretion*, saying, *They would appeal from them to the People* (that is, still themselves; you see they hold one and the same Rod over King and Parliament) and threatning *to advance presently to Westminster, to doe what God should enable them unto*: The same night they came to *Hyde* Park corner, & kept Guards there: hereupon it was put to the Question, *That the Armies approach was prejudiciall to the freedom of Parliament*? but through the cowardice of some, whose hearts now began to melt, and the impudent restlesse bawling of those cheating Saints, that comply with the Army to keep themselves from giving Accounts; it passed in the Negative.

19 The Kings Concessions debated, and young S. *Hen. Vanes* insolency.

Dec. 2. The Kings Answer was debated; and as a prologue to it, young Sir *Henry Vane* (a Whelp of the old Curre) spake thus, Mr. Speaker, *By this debate we shall know who are our Friends, & who are our Foes; or to speak more plainly, We shall discover who are the Kings party in the House, and who the Peoples*: To which was Answered, *That since this Gentleman was so bold, to deale thus by way of prevention, in a threatning manner; and had forejudged and divided the House into two parts: I hope it is as lawful for me (who am no Grandee, nor no Gainer by our troubles) to put you in mind of another Division of the House. Sir, you will find some desirous of peace, and they are Losers by the War: Others are against peace, and those are Gainers by the War: My humble motion is, that the Gainers may contribute to the Losers, that we may all stand upon equall feet; for, till then, the ballance of the Commonwealth will never stand right towards a settlement.* True jests bite sore. He and his Syre oppose peace: lest the Kings Revenue being restored, they should lose a good Trade there: the old Dogge is Chairman of that Committee; the young one is a principall Publican or Treasurer; they get constantly above 6000 l. *per annum*, between them; besides private cheats by paying half Debts, and taking Acquittances for the whole; and then discounting for the whole; buying in old sleeping Pensions for trifles, that have not been payed in many years, and paying themselves all Arrears; *Cornelius Holland* is Servant to them both, and hath gotten as much wealth as make him sawcy enough

nough to hire *William Lilly*, and other Pamphletiers to derive his Pedigree from *John Holland* Duke of *Exeter*, although it be known he was originally a Link-boy, but he is now one of the New Lights, an illuminated Brother. Master *Pryn* moved the debate of the Kings Answer might be laid aside untill it was a free Parliament not environed by the Army: but (said M. *Rich. Norton*) *Take heed what you say against the Army, for they are resolved to have a free Parliament to Debate the Kings Answer, if we refuse.*

This day the Generall took possession of *White Hall* for his Quarters, as if he meant to keep out the King in defiance of the Treaty: he brought to Towne with him foure Foot Regiments, and six Regiments of Horse; part whereof quartered at *White-Hall*, the rest in *York-House*, and other great Houses; the Horse turned the Reformado Horse Guards that attended the Houses, and lodged in the *Mews* by their order, out of their Quarters, without applying themselves to the Houses.

20. The Generall Garrisons *Whitehall* and the *Mews* upon his own head.

Upon Monday, *Decemb.* 4. News came to the House that *by severall Orders from the Generall, His Majesty was seized in His Bed-chamber, and hurried away Prisoner to* Hurst Castle, *a Block-house out of the* Isle of Wight, *standing about a mile and half in the Sea, upon a Beache full of mud, and stinking ooze upon low tydes; having no fresh water within two or three mile of it, bitter cold, & of a foggy and pestilent ayr, so noysome that the Guards thereof are not able to endure it long without shifting their Quarter.* This was a torment beyond Pistoll and Poyson, many spake against the insolency of this fact, as being committed against the life of the King, and against the honour and publique faith of the Parliament, who had Voted, *He should Treat in Honour Freedom and Safety, in Newport in the Isle of Wight*; and had accepted His Royall Word *not to withdraw out of the Island during the Treaty, nor in* 20 *daies after*; (which were not yet expired) and now to have the houses debates and results fore-stalled, and the Treaty made frustrate by such an act of violence and prevention committed upon the Person of the King, was a presumptuous and rebellious act; It was moved therefore *that It might be Declared, That his Majesty was removed out of the* Isle of Wight *by his Excellencies Warrant, without the consent or privity of the house*; But

21. The House informed that the King was surprized by the Army, and carried Prisoner to *Hurst-Castle.*

thoſe members that Idolize that Bell and the Dragon, the *Army*, and are but Prieſts fatting themſelves for the ſacrifices of that Image; inſiſted upon it to have two words mended in the Queſtion, 1. The word [*Declare*] would be conſtrued to be a Declaring againſt the Generall and Army: 2 The word [*Conſent*] to beleft out, leaſt it argued a diſagreement in opinion and practice between the Army and the Houſe, as if the Houſe diſſented from it. And certainely thoſe gentlemen that ſtood upon theſe nicetie, could not ſay, it was don without their conſent, for it was hatched in the Junto; ſo it was barely Voted, *To be done without privity of the Houſe*, nevertheleſſe.

The ſame day they reſolved to reſume the laſt Saturdayes debate upon the Kings Anſwers to the Propoſitions of both Houſes; The firſt Queſtion debated was, *Whether they were ſatisfactory or no?* The Army Party Argued, *they were not ſatisfactory, becauſe the King had not granted all their Propoſitions in Terminis:* To this was Anſwered, *That theſe Propoſitions were not ſent to his Majeſty as Bills to be paſſed in terminis, without debate; but as Propoſitions to be perſonally Treated upon,* (as the Votes of both Houſes and the Inſtructions of their Commiſſioners prove) now it is againſt the nature of all Treaties perſonall, to tie up the Parties of either ſide ſo preciſely, that they ſhall have no liberty to vary in any circumſtance or particular; ſo that if all be not preciſely granted, the condiſcentions ſhall not be ſatisfactory, though all juſt thiugs are yeilded to; as appears by all Treaties betweene Nation and Nation, where their firſt demands are never fully granted, but alwaies qualified and limited, if not diminiſhed; the rule being, *Iniquum petas ut juſtum feras*; ſo in all Treaties between Enemies, Party and Party; ſee Mr. *Pryn's* ſaid ſpeech, *Decemb* 4. 1648. where to avoid cavils, he waves this equivocall Queſtion, and propounds the Queſtion anew in theſe termes, *Whether the Kings finall Anſwers to the Propoſitions of both houſes in this Treaty conſidered altogether, be not ſo ful & ſatisfactory in themſelves, that this Houſe may, and ought accept of, and proceed upon them for the ſpeedy ſettlement of a ſafe and well grounded Peace both in Church and Commonwealth, rather then reject them as unſatisfactory, and ſo hazard the loſſe of all, and the perpetuating of our Wars and miſeries?* This he held in the Affirmative, with ſo many

22 The debate upon the Kings Anſwers reſumed.

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ſtrong and ſolid Reaſons, Arguments and preſedents both out of Divinity, Law, Hiſtory and Policy; and with ſo cleare a confutation of the oppoſite Argument, that no Man tooke up the Bucklers againſt him to refute him: the Arguments are too many, and too long to be here repeated. Nor doe I love to abridge that which hath little or nothing in it ſuperfluous; or to make that ſhort-lived by epitomizing it (ſuch is the laſineſſe of men to preferr Epitomes before Large works) which I deſire ſhould be long-lined and paſſe through many hands: This Debate laſted untill Tueſday morning 5. *Decemb.* eight of the clock (the Independants hoping to tire out and fright away the moderate men) and then it was reſolved upon the Queſtion (notwithſtanding the terrors and menaces of the Army) *That the Anſwers of the King to the Propoſitions of both Houſes, are a ground for the Houſes to proceed upon, for the ſettlement of the peace of the Kingdome*; it was carried affirmatively by 140 voices, againſt 104 that this queſtion ſhould be put, and the queſtion it ſelfe was carried cleerly affirmative without dividing the houſe: preſently after this houſe appointed a Committee of 6 Members to attend the Generall, to conferre with him and his Officers, and keep a good correſpondency between the Houſe and the Army; who had ſo much ſurly pride, and ſo little manners, as to give them leave to take a nap of three or foure howers long (after their Nights-watching) before admittance, and at laſt diſmiſſed them with this churliſh Anſwer, *That the way to correſpond, was to comply with the Armies Remonſtrance:* The Houſe Adjourned untill Wedneſday following.

Wedneſday, *Decemb.* 6. 1648. The Saints Militant being enraged that the Houſe had recovered ſo much courage & honeſty as to Vote according to their Conſciences, and neglect their wild Remonſtrance and threatning Declaration, (after ſome private conference in the morning between *Pride*, *Huſon*, and other Officers, and the Speaker in *Weſtminſter-hall* with the dores ſhut) they ſent to the Houſe of Commons a paper, requiring *that the Impeached Members & M.G.* Brown, (who they belied to have caled in Hamilton) *might be ſecured & brought to juſtice; & that the 90 & odde Members who refuſed to Vote againſt the late Scotiſh Engagement, and all that Voted for recalling the 4. Votes for non-Addreſſes,*

23 The Armies treaſonable violence upon the Houſe in ſecuring and ſecluding their Members.

dresses, and Voted for a Treaty, and concurred in Yesterdaies vote, [*That the Kings Concessions were a ground for the House to proceed to a Setlement:*] *may be immediatly suspended the House and that all such faithfull Members who are innocent of these Votes would by Protestation acquit themselves from any concurrence in them, that they may be distinguished:* This is to subvert the foundation of Parliaments, and appeal to the judgement of the many-headed multitude without dores, and put all into Tumults. You see what kind of Parliament the Kingdome hath had ever since the Army Rebelled and Refused to Disband, a meer Free-schoole, where *Cromwell* is Head-school-master, *Ireton* Vsher, and (that cypher) *Fairfax* a Prepositor; surely these men are either the supreme Judges, or the supreme Rebels and Tyrants of the Kingdome: This Paper was delivered in, but they scorning to stay for an Aswer, (by advice of their Independent Grandees of the Junto) upon Wednesday morning *Decemb.* 6. 1648. Sent two or three Regiments of Horse and Foot to *Westminster*, set strong Guards at the Houses dores, the *Lobby* staires, and at every dore leading towards the House, admitting none but Parliament men to enter *Westminster* hal, where Col. *Pride*, Col. *Hewson*, & *Hardres Waller* (sometimes a Cavalier, then a violent Presbyterian, and now a tyrannicall Independent) violently seized upon divers Knights and Burgesses upon the Parliament staires and elsewhere going to the House, and forcibly carried them away Prisoners to the Queens Court without any warrant shewed, or cause assigned; and there set strict Guards upon them, Mr. *Edw. Stephens* and Col. *Birch* being in the House of Commons were called forth by feigned Messages sent in by some Officers under other Mens Names, and there violently pulled out of the dore, though they called to the Speaker to take notice of the force: The House sent the Sergeant of the Mace to command the Imprisoned Members attendance; but the Guards would not let them come. A second time the Sergeant was sent with his Mace upon the same Errand, but Col. *Pride* in the *Lobby* would not let him passe: which contempt was entred into the Journall book. Hereupon the House concluded not to proceed in businesse untill their Members were restored; and sent to the Generall about it; yet afterwards when the Officers had severall dayes secured, secluded,

and

and frighted away more of the Members; and made the House a Conventicle of their own complexion, then the House prevaricated and deserted their Members: About three of the clock after noon *Hugh Peters* with a Sword by his side; (but not the Sword of Saint *Peter*) came into the Queens Court to take a List of the Prisoners names by order from the Generall (as he said) where being demanded *by what Authority they were Imprisoned?* he Answered, *By the power of the Sword*: Night being come, the Imprisoned Members (41. in number) were conveyed away to a Victualling House call HELL, and there kept all Night without Beds, or any fitting accommodation; when it grew late some of them had offers made them to go upon their Parolls to their owne Lodgings, and to appear the next morning at *Whitehall*; but this was but a jugling trick to make them acknowledg the Lord *Fairfax* Authority, and become voluntary Prisoners upon their own engagement; and was therefore refused. The next morning being Thursday, the imprisoned members had warning given them to *meet the Generall and his Councel of War at Whitehall*, whither they were Guarded in Coaches, tyred out with watching and fasting: But the mechanick Councel took so much state upon them, that after six or seven howers attendance untill dark night, and no admittance nor application to them; they were led away from thence on foot with Guards of Musketiers like Thieves and Rogues, and thorow the kennels like Col. *Pride* Day-horses, to the *Swan* and *Kings-head*, two Innes in the Strand, and there distributed under severall Centinells: The souldiers making a stand with them sometimes half an hower together in the snow and raine untill they had put their Guards into a marching posture; and reviling them, *that they were the men that had cousened the State of their money, and kept back their pay*; Upon which scandalous provocation, some of them Answered, *That it was the Committee of the Army, and their own Officers that had cousened them*: which some of the Foot-Souldiers then acknowledged. Besides the 41. Imprisoned Members, the Officers standing severall dayes with lists of Names in their hands at the Parliament dore, have turned back from the House, and denied entrance unto above 160. other Members, besides 40. or 50. Members who voluntarily withdrew to avoid their violence, all whom

See the 2. part of *Englands* Chains discovered; and the Hunting of the Foxes &c.

whom they know to be loosers by the war, and therefore desirous of a safe and wel-grounded Peace; so that they have made War against the Majority of the House, (that is) against the whole House; for, *major pars obtinet rationem totius*, by all our Lawes and Customes, *the major part of the House is vertually the whole House*; which is Treason by their own Declarations and Remonstrance farre higher then that whereto they accuse the King, and for which they demand Justice against him: and the remaining faction of 40 or 50 engaged Members who now passe unpresidented Acts of Parliament or the House of Commons (as they call them) without the Lords, ought not to sit, Act, nor take upon them the stile of a House under so visible, actuall, and horrid a force, both by the Lawes of the Land, and their own Ordinance, passed *August* 20. 1647. *To nul and void all Orders, Votes, and Acts passed under the Tumult of Apprentices, from July 26 to the 6 August following*; and yet the said Tumult ended the said *July* 26 when it begun. See the said Ordinance herewith printed. The Army (who now acknowledgd no power but *that of the Sword* (as Major *White* long since foretold at *Putney*) and whose principle it is, *To breake the Powers of the Earth to peices*, as *William Sedgwicke* in his *Justice upon the Army Remonstrance*, saith: *And who* (as *Ioh. Lilburn* in his *plea for Common Right*, p. 6. saith) *have by these extraordinary proceedings overturned all the visible supreme Authority of this Nation, now suffer only their own Party of 40 or 50 Members to sit, and doe journey worke under them, who are enemies to peace and have got wel by fishing in troubled waters, and hope to get better*; so that hardly a seventh or eighth part of the Counties, Cities, and Burroughes that ought to have Members sitting, have any body to Represent them, and therefore how they shall be bound by the Votes and Acts of this fagge end, this Rump of a Parliament with corrupt Maggots in it, I do not see. Friday, *Decemb.* 8. a Message from the Generall was brought to Sr. *Robert Harlow* that he might go home to his house, giving his engagement not to oppose the Actings and proceedings of this present Parliament and Army: The like was offered to divers others: you see hereby what the offence of these Imprisoned Members is, *only a feare that they will defend the fundamental Government, the religion, lawes, and liberties of the land, the Kings*

Person

Person and Authority, and the beings of Parliaments; against the Tyrannicall and Treasonable practices of the Army and their House of Commons.

The small remnant of the House of Commons sent sundry times to the Generall to know *Why he Imprisoned their Members, and humbly to beseech him to set them at liberty if he had nothing against them*: But all this was but prevarication and false shewes: for, 1. Their Base and conditionall way of demanding their Liberty [*if he had nothing against them*] implies an acknowledgment of the Generalls Jurisdiction and conusance over them, and an invitation of him to accuse them. 2. Their sitting and acting under so brutish a force before their Members righted, or the honour of the House vindicated, is a deserting and yeilding up of their Members and honour. 3. Their Voting an approbation of the matter of the Generall Officers scandalous and jugling Answer to their said Demands concerning the secured and secluded Members (as afterwards they did) without hearing what the said Members could say for themselves, is cleerely a forejudging and betraying them. 4. Their late Votes, *That no man shall peruse their Journall Booke of Orders, &c. without speciall leave*: is purposely done to barre the said Members who connot make any perfect Answer in confutation of the Scandalls cast upon them by the Generall Councells printed Libell against them, without having recourse to the said Book, *to see what Votes passed for Ireland for the* 200000 li, and other matters. To say nothing how unusuall and unjust it is to keep the Records of the House from the view and knowledge of any man, and yet to expect their obedience to them. 5. Their exceeding strict and severe prohibiting the Printing any Bookes not Licenced, and imploying Souldiers to Search all Printing Houses Dayly, is done in Order to barre the said accused Members from publishing an Answer in their justification. 6. Their Summoning Mr. *Pryn* by order *to appeare at the Commons Barre*, knowing him to be still a prisoner to the Army; shewes, that the Army and they serve each others turns against them. 7. And Lastly, the Declaration of the present House of Commons, dated *Jan.* 15. 1648. is nothing but an eccho of the said Answer of the Generall Councell, against the said secured and secluded Members. They that are so wickedly and industrious to de-

24 Reasons, proving that the remaining faction or Iunto sitting under the force of the Army, were consenting to the securing & secluding their Members. sect. 134, 135.

stroy these Gentlemens credits, do this as a preparative to destroy their Persons, and seize upon their Estates, for the maintenance of a new Warre, (which they foresee their violent courses will bring upon them) and for the farther inriching of themselves, and establishing their Tyranny, which they miscall, *The Liberty of the People*. This violent purge wrought so strongly upon the House, and brought it to that weaknesse, that ever since it is eleven or twelve of the clock before they can get forty Members together to make a House, of which number they sometimes faile: one time the Members would have had the Speaker go on upon businesses with a lesse number than forty; but he knowing all so done to be illegall and void, refused; and yet (to peice up the House) they permit Mr. *Blagrave*, Mr. *Frye* and *Humphry Edwards* to sit as Members notwithstanding their Elections are Voted *void* by the Committee of Elections: and one day an Officer of the Army having taken some Members going to the *House*, and secured them in the Tobacco Rooms; under Guard; The Speaker not being able to muster enough to make a House, was faine to send to the said Officer, to lend him his said Prisoners to make up a Free Parliament: This disgrace put upon the Imprisoned Members is purposely intended as an Invitation to all their Enemies to come in and accuse them; nay, it can be proved that means hath been used to suborn Witnesses against them: besides which, the faction have made a strict inquisition into their lives and conversations, and have hitherto met with nothing.

25. The day after the House purged, in comes Dr. *Cromwell* & *Hen: Martin* his Apothecary

Thus the House being throughly purged, the next day in comes the Doctor *Oliver Cromwell* out of the Countrey; bringing in under his protection that sanctified Member *Henry Martyn*, who had spent much time in plundering the Country, had often baffled the House, and disobeyed many of their Orders; sufficient to have made an honest man a Malignant liable to Sequestration: But *great is the privilege of the Saints*. It fortuned that day the case of the secured Members was reported to the House, which *Harry* interrupting, desired them *to take into consideration the deserts of the Lieutenant General*: which with all slavish diligence was presently done. And the Speaker moved, *that to morrow might be a day of Humiliation to be kept in the House to humble the Spirits of the Godly*, much overleavened with *the Scotish Victory*.

That

That you may the better understand how farre they meane to be humbled, *Hugh Peters* the Pulpit-Buffon was one of their Chaplains, who instead of delivering the Oracles of God, delivered the Oracles of the Councell of Warre to them, talking obscurely of Accommodation and Moderation, and advising them to adjourne till Monday or Tuesday (I think) that the Army might cut out work for these Journey-men of theirs; and might worke their wills upon the City in the meane time, when no House should be sitting for the Citizens to addresse their Complaints to; for in the interim they Garrisoned *Black Fryars* and *S. Pauls*, reforming it, from the Church of God, to a Den of Thieves, Stable of Horses, and Brothell of Whores, and Robbed diverse Halls in London of vast summes of money by the prerogative royall of the Saints.

The 11. day of *Decemb.* 1648. the said secured Members published a Printed Paper, as followeth:

26 A Declaration of the secured and secluded Members, against the violence of the Army.

A solemne *Protestation* of the imprisoned and secluded Members of the Commons House: Against the horrid force and violence of the Officers and Souldiers of the Army, on Wednesday and Thursday last, the 6. and 7. of *Decemb.* 1648.

WE the Knights, Citizens, and Burgesses of the Commons House of Parliament, (above one hundred in number) forcibly seized upon, violently kept out of the House by the Officers and Souldiers of the Armie under Thomas *Lord* Fairfax, *comming thither to discharge our duties on Wednesday and Thursday last, being the 6. and 7. of this instant* December, *do hereby, in our Names, and in the Names of the respective Counties, Cities, and Burroughs for which we serve, and of all the Commons of* England, *solemnly protest and declare to the whole Kingdome, that this execrable force & open violence upon our Persons, and the whole House of Commons, by the Officers and Army under their command in marching up against their command and placing strong armed Guards of Horse and Foot upon them, without and against their Order, is the highest and most detestable force and breach of Priviledge and Freedome ever offered to any Parliament of* England; *and that all Acts, Ordinances, Votes and proceedings of the said House made since the 6. of*

Decemb. *aforeſaid; or hereafter to be made during our reſtraint and forcible ſeclusion from the Houſe, and the continuance of the Armies force upon it, are no way obligatory, but void and null to all intents and purpoſes: And that all contrivers of, Actors in, and Aſſiſtants to this unparalel'd force and treaſonable armed violence, are open enemies to, and profeſſed ſubverters of the Priviledges, Rights, and Freedome of Parliament, and diſturbers of the Peace and ſettlement of the Kingdome; and ought to be proceeded againſt as ſuch: and that all Members of Parliament and Commonners of* England, *by their ſolemne Covenant and duty, under paine of deepeſt perjury and eternall infamy, are obliged unanimouſly to oppoſe and endeavour to their utmoſt power to bring them to exemplary and condigne puniſhment for this trancendent offence, tending to the diſſolution of the preſent, and ſubvertion of all future Parliaments, and of the fundamentall Government and Lawes of this Land.*

All which we held it our duties to declare and publiſh to the World, for feare our ſtupid ſilence ſhould give any tacit conſent or approbation to this moſt deteſtable crime, and make us guilty of betraying the Priviledges, Freedom, and Honour of this Parliamet, to our perpetuall reproach, and the prejudice of all ſucceeding Parliaments.

Dated at *Weſtminſter, Decemb.* 11. 1648.

27 The tame Lords and inſolent Commons paſſe and print a Declaration againſt the ſaid Declaration.

The ſaid ſolemne Proteſtation of the ſecured Members being complained of, was ſufficiently barked at in the Houſe of Commons; and the Lords fell a barking at it too for company: and at laſt (that they might confute it with authority inſtead of reaſon) both Houſes paſſed this following Declaration againſt it.

The Declaration of the Lords and Commons: againſt the firſt Declaration of the ſecured and ſecluded Members

THe Lords and Commons aſſembled in Parliament, taking into their conſideration a printed Paper, entituled [Aſolemne Proteſtation of the Impriſoned and ſecluded Members, &c.] *wherein amongſt other things, it is declared,* That all Acts, Ordinances, Votes, and proceedings of the Houſe of Commons, made ſince the ſixth of this inſtant *December* or hereafter to be made during their reſtraint

restraint and forcible seclusion from the House, and the continuance of the Armies force upon it, are no way obligatory, but void and null to all intents and purposes: *The said Lords and Commons doe thereupon judge and declare, the said printed Paper to bee false, scandalous, and seditious, and tending to destroy the visible and fundamentall Government of this Kingdome: and doe therefore order and ordaine the said printed paper to be suppressed; and that all Persons whatsoever that have had any hand in, or given consent unto the contriving, framing, printing or publishing thereof shall be adjudged, and hereby are adjudged uncapable to beare any Office, or have any Place of trust or authority in this Kingdome, or to sit as Members of either House of Parliament. And do further Order and ordaine, That every Member of either House respectively now absent, upon his first comming to sit in that House whereof he is a Member, for the manifestation of his innocency, shall disavow and disclaime his having had any hand in, or give consent unto the contriving, framing, printing or publishing of the said Paper, or the matter therein contained.*

The present visible Government is the Power of the Sword in the hands of Rebels. The Fundamentall Government of this Kingdom is destroyed by the remaining faction in the Ho. of Commons by their Acts, *For abolishing Kingly government, the House of Peers,*

their pulling downe tryals by Jury of 12 men, and setting up illegall High Courts of Justice, their usurping the Supreme Authority, their making Treason an Arbitrary crime, their erecting a Councell of State, or hogens mogens, forty Tirants in lieu of one King, their altering the style of Writs and legall proceedings, &c. Sentence given before any person accused or heard to speak for himselfe. Oh, the brutish understanding of men whose sins and feares have intoxicated their Wits.

28 The Conventicle of Commons repeat ex & improc in a thin House under a force; the Votes deliberately passed in a full and free House.

The 12. and 13. *December* the Commons (that they might purge their Journall Books of all state heresies, as well as their House of all State-Hereticks) Voted this *Index expurgatorius*, which in their own canting Language I here present to you.

1. *Resolved, &c. That the Vote of this House*, Jan. 3. 1647. *for revoking the order*, Sept 9. 1647. *for suspending Commissary* Lionell Copley *from being a Member of this House: is of dangerous consequence, and tending to the destruction of the justice and peace of the Kingdom; and is hereby repealed*, The like for the rest of the impeached Members, *mutatis mutandis*.

2. *Resolved, &c. That the Vote of the House*, June 30. 1648. *whereby this House did concur with the Lords (for opening of a way to the Treaty with his Majesty for a safe and well-grounded peace) That the Votes*, Jan. 3. 1647. *forbidding all Addresses to be*

made to, or from the King be taken off; was highly dishonourable to the proceedings of Parliament, and apparently destructive to the good of the Kingdome, (sure they meant the Kingdom of the Saints.) They likewise by four severall Votes, revived the said 4. Votes *January* 3. 1647. for no Addresses, *in terminis.*

3. *Resolved, &c. That the Vote,* July 28. 1648. *That a Treaty be had in the Isle of* Wight *with the King in Person by a Committee appointed by both Houses, upon the Propositions presented to him at* Hampton-Court; *was highly dishonourable, and apparently destructive to the good of the Kingdome.* Good Boyes, they can say their Lessons well, and apace too, when the Army whips them on; they will shortly have a jubile of play-daies for their paines, 40. or 50. New lights snuffed by the Councell of Warre, can better discover what is dishonourable, and apparently destructive to their own Kingdome, then 340 or 244. could doe at other times: If you aske what Debates they had? they could have none: being now freed from the contradiction of Sinners: being all Birds of a feather, taught the same tune by the same Masters, and singing in the same cage.

The House adjurned.

29. A Protest to be entred against the Votes, *That the Kings Grants were a ground for a Settlement;* a Touch-stone of *J. Gourdons.* See the Order, *Dec.* 5. 1648.

Yet the unanimous recalling those Votes was not thought (by those that think one thing and say another) a sufficient *Test* all were confidently for them, that voted with them; wherefore godly *John Gourdon* (a Fellow that spits venome as naturally as a Toad) moved, *That a Protestation might suddenly be drawne up, and every Member to set his hand to it, in detestation of those repealed Votes.* A Committe was appointed accordingly: The 14. *Decemb.* the said new found *Shiboleth* was brought in by *Gourdon*, which caused divers that were not yet mad enough for *Bedlam*, to forbear the House, or rather Conventicle.

30. The *Militia* of the Counties new setled in Independent hands.

Decemb. 14. They repealed the Ordinance lately passed (after mature debate) *for setling the County Militias of the Kingdome*, because there were some Presbyterians in it not well-affected to the Army; and in that new sense, Malignants: And ordered, *that a new Ordinance, with a List of new names,* of Saints militant (sounding like a Jewish pedigree) *be brought in;* for (through the indiscretion of the Presbyterians) the Independents have had the custody of our purses a long time, and now must keep our Swords too, and then, *Stand and deliver,* will be the only Law of the Land.

About

About this time Major Generall *Browne* one of the Sheriffes of *London* was fetched out of the City by a Party of Horse, and carried before the mechanique Councell of Warre at *White-hall*, (although a Member of Parliament, and consequently one of their Masters) where he told them *he knew they had nothing to charge him withall, but his honest endeavours to preserve his Majesty and his Posterity, together with the Parliamont, City, and Kingdome, with the Lawes and Government thereof from being rooted up by them, and that he feared them not.* Col. *Hewson* (the one-eyed Cobler) was so sawcy as to tell him, *He was too peremptory*: at last they committed him Prisoner to *S. James's.*

31. Sheriffe *Brown* carried away out of the City Prisoner to St. *James's.*

And that he might not want company they sent a Warrant to Cap. *Lawrence*, Marshall Generall, to remove Sir *Will. VValler*, Sir *John Clotworthy*, Major General *Massey*, and Commissary General *Copley*, from the *Kings head* to him.

32. Sir *will. wal. ler*, &c. removed to Saint *Iames's.*

The Marshall shewing them the Warrant, they protested against the Authority, and offered the Protest to the Marshall in writing, desiring him to shew it to the Generall; which he refusing to receive, Sir *William Waller* desired all the company to witnesse what Protestation they did make in behalfe of themselves, and all the Free-borne people of *England*, against the violent and illegall encroachments of the Generall and Councel of Warre, against the Lawes and Liberties, and read it aloud; as followeth,

33. They protest against the Generals Authority.

¶ A Declaration of the taking away of Sir *Will. Waller*, Sir *John Clotworthy*, Major General *Massey*, and Colonel *Copley*, Members of the House of Commons, from the *Kings head* in the *Strand* to S. *James's*: Together with their Protestation read at their remmovall. With a Copy of the L. Generals Order for the same. Tuesday, *Decemb.* 12. 1648.

Marshall *Lawrence* came and acquainted Sir *William Waller*, Sir *John Clotworthy*, Major General *Massey*, and M. *Lionel Copley*, Members of the House of Commons, *That he had Orders from the Lord Generall and Councell of the Army, to remove them from the other Prisoners to S.* James's. They replyed to him, *That they desired to see his Orders*: The Marshall answered They were onely verball; but the Gentlemen insisting to see a Warrant for their remove,

remove; the Marshall went to the Generall, and from him about six a clock brought an order; a true Copy of which followes, *viz.*

YOu are upon sight hereof, to Remove Sir VVil. VValler, *Sir* John Clotworthy, *Major Generall* Massey, *and Colonel* Copley, *from the* Kings head *Inne (where they are now in custody) to Saint* James's: *and for so doing, this shall be your Warrant.*

Given under my hand, *Decemb.* 12. 1648.

To Marshall Generall Lawrence.

T: Fairfax.

This Order being shewed unto the foresaid Gentlemen, Sir *William Waller* produced a paper, desiring that the same might be presented to the Generall; which Marshall *Lawrence* refused to receive: upon which, the said Sir *William Waller*, and the other three Gentlemen, desired the said Marshall and all the Gentlemen there present, to attend and witnesse to that protestation which they did there make in behalfe of themselves, and all the Commons and Free-borne Subjects of *England*; so with a distinct and audible voice read their Protestation, as followeth,

VVE whose Names are hereunto subscribed, being Members of the House of Commons, and Free-men of England, *doe hereby declared and protest before God, Angells, and Men, That the Generall and Officers of the Army, being raised by the Authority of Parliament, and for defence and maintenance of the Priviledges thereof; have not, or ought to have any power or jurisdiction to apprehend, secure, deteine, imprison, or remove our persons from place to place by any colour or Authority whatsoever; nor yet to question or trie us, or any of us by Martiall Law, or otherwise, for any offence or crime whatsoever, which can or shall be objected against us: And that the present Imprisonment and removall of our persons is a high violation of the Rights and Priviledges of Parliament, and of the Funda-*

Fundamentall Lawes of the Land, and a higher usurpation and exercise of an Arbitrary and unlawfull power, then hath been heretofore pretended to, or attempted by this, or any King or other power whatsoever within this Realm; notwithstanding which, We and every of us doe Declare our readinesse to submit our selves to the Legall triall of a free Parliament, for any crime or misdemeanour that can, or shall be objected against us:

In witnesse whereof, we have hereto subscribed our Names, the 12. of *December*, 1648.

At the *Kings-head* in the *Strand*.

William Waller, *Edward Massey*, *Iohn Clotworthy*. *Lionell Copley*.

34 Foure secured Members discharged.

About this time, Mr. *Pelham*, Mr. *Lane*, Mr. *Vaughan*, Sir *Simon Dewes* (Members secured) were set at liberty without any engagement, although at first it was demanded *they should engage not to attempt any thing against the present actings of this Parliament and Army*; which they refused.

35 The Agreement of the People publisshed and Answered.

About *Decemb.* 11. 1648. was delivered into the world a monstrous Beggers brat, called [*The Agreement of the People.*] It is very judiciously answered by Mr. *William Ashurst*; all the Contents thereof is in the *Remonstrance of the Army*, 20. *Nov.* 1648. whereof I have spoken already.

1. It proposeth, *That the People* (that is, some small part of the People, the Army and their faction) without any colour of Law or Right *should agree together to take away finally the present Government, by King, Lords, and Commons*, which the Kings party heretofore charged upon the Parliament as their designe for which they fought; whereupon, the Parliament to Vindicate themselves, published many Declarations, and passed sundry Votes, *That they would not alter the Government by King, Lords, and Commons*; it also takes away the legall right from Burroughs to chuse Members of Parliament; this admitted, they may as well conspire to take away any Law, or any mans Life or Estate; by which rule we could enjoy nothing but at the will of any number of men that shall call themselves *The People*. And upon the same ground that those that shall subscribe this *Agree-*

ment may call themselves *the people*, may those that shall refuse to subscribe call themselves the *people*, and upon farre better grounds, as being farre the more numerous, and standing for defence of those ancient Lawes, which doe constitute the People and Common-wealth of *England*, which will breed infinite confusions and divisions: and what those that call themselves *the people* now agree to, they may alter upon the next change of humour or interest.

2. The inconveniences of the present Government have not yet been plainly discovered, nor no Tryall hath been made by the present knowne legall power of *England*; whether those inconveniences may not be removed without subverting the present Government, and introducing so totall a change as will be very dangerous and grievous to all sorts and conditions of men.

3. In the Protestation, *May* 5. 1641. and the Covenant, *Sept.* 27. 1643. we are bound to defend Parliaments, and to oppose and bring to punishment all such as shall endeavour the subversion of Parliaments, which this Agreement cleerly doth.

4. This Agreement encroacheth desperately upon the liberty of the people of *England*, in the Election of this Representative depriving them that have constantly adhered to this Parl. as well as the kings party (if they cannot in conscience subscribe it) from electing, or being Elected; yet they shall have Lawes and Taxes imposed upon them by Subscribers, who are the least, and the least considerable party of the Kingdome; and whom they conferre no trust; which is to disfranchise the Non-subscribers, and reduce them to the condition of Conquered Slaves. It is a known Maxime in Law, *Quod omnes tangit, ab omnibus tractari debet*, what concernes all men must be debated and agreed to by all men, either personally or representatively.

5. It will raise factions and feudes between the Subscribers and Non-subscribers of the Parliament party.

6. It takes away Magistracy and Government, not onely by placing such a Supreme power over them as is disputable; nay, apparently illegall: But by making the heady multitude (*the people*) Supreme Iudges over the said Representative; for although it inflicts the penalty of death upon the Resisters of their Orders; yet

yet it is with this *salvo*, except such Representative shall expresly violate this Agreement, which makes every man or number of men that shall get power into their hands Iudges of it; not is there any other Iudge designed: and (if their were) who shall judge that Judge? *& sic in infinitum*, the legall supreme Trust of all publike interests being taken away, our vagabond thoughts wander in a circle, not knowing where to repose our trust, all Iudges, all Councells may erre but the rascall multitude are the very sinke of errors and corruptions. If therefore the Supreme, the Representative have so unstable an authority, what shal the subordinate Magistrate acting under them have?

7. It smels so much of the Iesuite, that it tollerateth Popery in private Houses; contrary to the known Lawes of the Land: Popery (like the old Serpent) if it once get in the head, will soon insinuate the whole body, being so well backed by potent Princes and Councels from beyond Sea: And truly I know not what to say against Popery, where Heresie, Schisme, Atheisme, and Blasphemie are openly tolerated, and exempted from the power of the civill Magistrate, as in this Agreement.

8. It will lose *Ireland*; the managing of the Warre there being legally in this Parliament by Act passed, not in this new-fangled Representative.

9. It divides us from *Scotland*.

10. It destroyes the Cause for which the Parliament so often Declared, Voted, Protested and Covenanted that they fought, viz. *Defence of Parliament, Religion, Lawes and Liberties*, and bestows the Cause upon the King, as if He onely (from the beginning) had fought for them: which all men have reason to beleive, when they shall see the Parliament make such ill use of their Victory, as to root them all up. And this and all other Parliament Armies were Commissioned to *preserve this Parliament*; by this Authority they have their Pay, and Indemnity, without which, they are Thieves, Rebels, and Murderers.

11. It demands, that there be no Lawyers nor Lawes, but new Rules in English to be made from time to time by the new Representative, who are to be chosen and trusted onely by a small faction of Subscribers, (as hath been said) accoeding to which justice shall be administred, not by Mayors, Sheriffes, Iustices of

the peace, Officers alwaies ready, but by Hundred Courts, who are to ſupply the roome of all the Judges and Lawyers of the Kingdom: and all this to lie in the breaſts of 12 men in every Hundred (of the Tribe of the Godly be ſure) who peradventure can neither write nor read, nor have reſponſible Eſtates to ſatiſfie wrongs done: theſe ſhall doe juſtice by providence and revelation.

12. It deſtroyeth all great and publique intereſt (and therefore cannot ſtand) Kings, Lords, Souldiers, Magiſtrates, Parliaments, Lawyers, Miniſters, who will oppoſe it becauſe it confounds and deſtroys Religion, and depriveth the Miniſtry of its lot, Tythes; ſtopping their mouthes with famine, purpoſely to caſt them off: and generally all men of quality and diſcretion will withſtand it; becauſe it gives no ſecurity for enjoynment of liberty and property, nor for increaſe of learning, civility, and piety; who then are left to owne and ſubſcribe it, but deſperate forlorne perſons, who, becauſe they cannot bring their actions under the protection of our Preſent Lawes and Government, will bring the Lawes and Government to their own corrupt wills and intereſts, and therefore will ſigne this agreement: no obedience being given to this Repreſentative, but upon condition (*that they kept this Agreement*) and there being no other Judges of their keeping it but the ſubſcribers; who in the reſult of all, have the Law in their own wills

36 This Agreement of the People was condemned by the Houſe of Commons 9: *Nov.* 1647.

This *Agreement of the People* is the ſame which was ſubſcribed by 9 Regiments of Horſe, and 7 of Foot, and preſented with a Petition to the Houſe of Commons, *Novemb.*5 1647, by the Agitators, *Gifforde* the Jeſuite being then in the *Lobby* with them, and very active therein. Vpon reading and debate hereof, the Houſe then declared their judgments againſt it by paſſing theſe Votes.

Die Martis, 9. Nov. 1647.

A Paper directed to the Supreme Authority of the Nation, the Commons in Parliament aſſemnled, the juſt and earneſt Petition, of thoſe whoſe names are ſubſcribed, in behalfe of themſelves and all the Free-borne People of England: *Together with a Paper annexed, intituled, An Agreement of the People for preſent and future Peace, upon grounds of Common Right, avowed.* How theſe papers come

now

now to be owned, those that oppose them violently secured by the Army, by the connivance (at least) of the dregs of the House now sitting, let the Saints now voting in the House examine their pockets, for (I am confident) their consciences had no hand in the businesse.

Resolved, &c. That the matters contained in these Papers, are destructive to the beings of Parliament, and to the fundamentall goverment of the Kingdome.

Resolved, &c. That a Letter should be sent to the Generall, and those Papers inclosed; together with the Vote of this House upon them: and that he be desired to examine the proceedings of this businesse in the Army, and returne an account thereof to this House.

37 The said Agreement damned by the Generall & councell of Warre, and a Souldier shot by sentence for promoting it.

The Generall and Councell of War in pursuance of this Vote, condemned one of the Agitators who promoted it, and shot him to death at *Ware* (you see what it is to doe a thing unseasonably, this designe of the Army and their Party was not yet ripe) wherewith they acquainted the House; yet they kept in the same fier in the City still, where some of their confederates, 23 of the same *November* sent the same Agreement, &c. inclosed in a Letter, with a Petition into the House of Commons. whereupon the House (giving thanks to the Generall for the execution done at *Ware*, and desiring him to examine that businesse to the bottome) unanimously passed these Votes.

Die Martis, 23. Nov. 1647.

38 The said Agreement condemned by the House a second time, 23. *Novemb.* 1647.

A Petition directed *to the Suprem Authority of* England, *the Commons in Parliament Assembled*, *and* intituled, *The humble Petition of many Free-borne People of* England, sent in a letter directed to Mr. Speaker, and opened by a Committee thereupon appointed, was read the first and second time.

Resolved, &c. That this Petition is a seditious and contemptous avowing and prosecution of a former Petition and paper annexed, stiled, An Agreement of the People, formerly adjudged by this House to be destructive to the being of Parliament, and fundamentall Government of the Kingdome, &c.

Resolved, &c. That Tho: Prince, *Cheese-monger and* Sam: Chidley, *be forthwith committed Prisoners to the Prison of the* Gate-house, *there to remaine Prisoners during the pleasure of this House, for a seditious and contemptuous avowing and prosecutian of a former*

Petition and Paper annexd, stiled An Agreement of the People, formerly adjudged by this House destructive to the being of Parliament, and fundamentall Government of the Kingdom.

Resolved, &c. That Ieremy Ives, Tho. Taylor, and Will: Larner, *be forthwith committed Prisoners to the prison at New-gate, &c. as last aforesaid, in Termenis.*

Afterwards by an Ordinance, *Decemb.* 17. 1467. *for electing Common-Councel men, and other Officers in London*, they expresly ordained, *That no person who hath contrived, abbetted, perswaded, or entred into that Engagement, entituled, [The Agreement of the People,] declared to be destructive to the being of Parliaments, and fundamentall Government of the Kingdome; be elected, chosen, or put into the Office of the Lord Mayor of the City of* London, *Sheriff, Alderman, Deputy of a Ward, or Common-Councel-man of the said City, or shall have any voice in the election of any such Officers, for the space of one whole yeare; and be uncapable of any of the said places:* yet now these petty Fellowes keepe the whole city in awe.

39. Yet this Agreement since inserted into the Remonstrance of the Army, owned by the Generall and Councell of Warre: and *Nov.* 20. 1648 obtruded upon the House.

These multiplied Votes and Ordinance, laid this *Agreement of the People* asleep untill the beginning of *November*, 1648. when (to hinder the peace of this Kingdome, and relief of *Ireland*) the Iesuits and Agitators prosecuted it againe in the army, and inserted it againe *verbatim* in the *Remonstrance of the Army*, *Novemb.* 20. 1648. *to break off the Treaty with the King, bring him to capitall punishment, and cast the odium of all upon the Parliament:* And the Generall and his Councell of Officers (though they had formerly shot a Souldier to death for prosecuting it) unanimously approved it at Saint *Albons*, *November* 16. 1648. and obtruded it upon the House the 20. *Novemb.* and when they found the House so resolute in the Treaty as to proceed; they first seized the Person of the King, and carried him to *Hurst-Castle*, as aforesaid; and when the House at last closed up the Treaty with this Vote, *That the Kings Answers to the Propositions of both Houses, were a ground for the Houses to proceed upon toward a settlement*: They seized upon 41. Members of Parliament, secured them, and villanously treated them; secluded above 160. and frighted away at least 40. or 50. more, leaving onely their own Somerset-house Iunto of 40. or 50. thriving Members sitting

40. Why they purged the House.

ting to Vnvote in a thin House under a force, what had been Voted in a full and free House; To vote downe the Kingly Office and House of Peers, to vote the Supreme Authority to be in the People, and in the House of Commons as their Representative, clean contrary to their three last recited Votes. To bring the King to capitall punishment before a new invented, illegall, mixed Court (consisting of engaged Persons) erected for that purpose, that hath neither foundation by prescription nor Law, and to erect a Conncell or Committee of States, out of their number (in the nature of Lords, States Generall, or Hogen Mogens) with an unknown and therefore unlimited Authority, to continue in being after the dissolution of this Parliament. So farewel King, Lords, and Commons, Religion, Lawes and Liberties, and all Votes, Declarations, Remonstrances, Protestation and Covenant, made heretofore only to gull the People, and carry on their designe.

41 Diverse Lords do homage to the Generall and wave their honours.

About 19, *Decemb.* divers Lords went to do homage to the Generall, to expresse their good affections to him, and their concurrence with him for the common good, and their readinesse to wave their priviledges and Titles if they shall be found burdensome to the liberty of the People, and had a gracious nod for their paines.

42 An Ordinance to curb the City in electing Officers.

About this time the Lords and Commons passed an Ordinance *for electing Common-Councell-men and Officers in* London *for the yeare following*, to this effect, *That no Person that hath been imprisoned or sequestred* (rightfully or wrongfully) *or hath assisted the King against the Parliament in the first or second Warre, or hath been aiding or assisting in bringing the Scots Army to invade this Kingdome, or did subscribe or abett the treasonable Engagement*, 1647. *or that did ayde, assist, or abett the late Tumult within the Cities of* London *and* Westminster, *or the Counties of* Kent, Essex, Middlesex, *or* Surrey, *shall be elected, chosen, or put into the Office or Place of Lord Mayor of* London, *Alderman, Aldermans Deputy, Common-Councel-man, or into any office or place of trust within the City, for the yeare ensuing, or be capable to give his voice for chusing any Person to any the Offices aforesaid; And, that if any persons comprehended under the aforesaid exceptions being chosen, shall presume to sit in the court of Aldermen, Common-councell, or execute any of the*

the foresaid Offices, he shall forfeit 200. *And all such Elections to be null and void; the Lord Mayor to take order that this Ordinance be read at all Elections, and punctually observed: and also to afford the liberty of the Pole, it being required by any of the Electors present,* But this Oidinance not giving full satisfaction to the Zealots, *Skippon* stood up, and looking as demurely as if he meant to say Grace, he told the House. *That the late Ordinance was not sufficient to keep Malignants out of Office in* London, *for Mr. Speaker* (said he) *It is not enough to exclude Delinquents, or the Abettors of the late Insurrections, &c, for there are a more dangerous sort of men amongst them: They which promoted the Treaty, and endeavoured to have the King brought to* London, *except these be made incapable of Authority, it wil be a great discouragement to the Godly party of the City.* So an aditionall Ordinance to this end was ordered to be brought in; you see to endeavour peace and settlement, is accounted by these Saints militant a sufficient crime to forfeit a mans birthright.

Skippon moveth for an addition to the said Ordinance.

43 I formerly told you of *John Gourdans* motion, *That all Members might subscribe a Protestation against the Votes for a Treaty with the King in the* Isle of Wight, *and espetially against the Vote,* 5. Decemb. 1648. which declareth, *That his Majesties Answers to the Propositions of both Houses were a ground for the two Houses to proceed to a settlement:* and untill such dissent or disapprovall to forbeare the House: This was done in obedidnce to the demands of the Army in their Remonstrance presented 20. *No.* 1648. And al though it be so clearly against the Orders and Priviledges of Parlaament, that divers Members formerly (and some this Parliament) have been suspended the House, and committed to the Tower for offering it, because it tends to breed factions and divisions in the House, and tumults without dores; yet every request from an armed man is a command and must be obeyed.

The Members subscribe *John Gourdon* Protestation, sect. 29.

Sect. 23

The List of the names of these new Protestants followeth, and (it is hoped) they will in time give better Reasons then (the power of the Sword) for it, 20 *December* 1648. subscribed, The Lord *Lisle*, Col. *Boswell*, *Jo: Gourdan*, Lord *Gray*, *Peregrine Pelham*, Col. *Jones*, Col. *Temple*, Col. *Ven*, Sir *Tho: Malevourer*, Sir *Thomas Wrothe*, Sir *Jo: Bourcher*, Col. *Peter Temple*, *Humphry Edwards* (who waited on the King to the House when he demanded the 5. Members,

5. Members, and his Election is adjudged void by a Committee) Mr. *Tho: Challoner*, Sir *Gregory Norton* (who gave a man 20 li. to wait on the King in his Place as pensioner when he demanded the five Members) *Michaell Oldsworth*, *Augustine Garland*, Sir *Jo: Danvers*, Mr. *Dove*, Mr. *Henry Smith*, Mr. *Frye* (whose Election is voted void) Mr. *Searle*, *Nich: Love*, *John Lysle*, Col. *Rigby*, *Cornelius Holland*, Col. *Ludlow*, *Greg: Clement*, Col. *Purefoy* Col. *Stapeley*, Mr. *Dunch*, Mr. *Cawley*, Col. *Downes*, *Io: Carey*, *John Blackiston*, *Tho: Scot*. Decemb. 22. Col. *Hutchinson* Sir *Hen: Myldmay*, Sir *James Harrington*. Decemb. 25. Col. *Edward Harvey*, Alderman *Penington*, Alderman *Atkins*, *Dan: Blagrave* (voted out of the House) Col. *Moore*, Col. *Millington*, Mr. *Prideaux*, *Roger Hill* the little Lawyer, *Dennis Bond*, Col. *Harrington*, Mr. *Hodges*, Mr. *Valentine*.

44 Sixteen imprisoned Members discharged without engagement.

Sixteen of the Imprisoned Members were about this time sent for by the Generall; when they came, out came *Ireton*, and finding Mr. *Pryn* amongst them, he chid the Marshall for bringing him, and commanded him to be taken away; but Mr. *Pryn* refusing to depart, *Ireton* commanded him to be thrust out by head and shoulders: whereupon Mr. *Pryn* openly protested, *That the Army endeavoured utterly to subvert the fundamentall Lawes of the Land, and priviledges of Parliament. That they had no power over him, nor any Member of Parliament. That their late force acted upon them, and their proceedings was illegall, and trayterous. That all men were bound to bring them to condigne punishment as Rebells and Traitors to their God, their King, Country and Parliament.* So Mr. *Pryn* was removed by the Marshall, and *Ireton* went in once more to consult the Oracle, and at last came out againe to the Gent. telling them, *It was the Generalls pleasure they should be all released, attempting nothing against the actings of this present Parliament and Army*, *but* (said the insolent fellow) *let that be at your perill*: so the Gentlemen expressing *that they would give no engagement*, were released without any.

45 A mock Fast kept by the two Houses and *H. Peters* comick Sermond

The 22. *December* both Juntoes of foure Lords, and twenty Commons, kept a mock Fast at Saint *Margarets Westminster*; where *Hugh Peters* the Pulpet-Buffon, acted a Sermon before them; the subject of his Sermon was, *Moses leading the Israelite's out of Egypt*. which he applyed to the Leaders of this Army,

whose designe is, *to lead the people out of* Ægyptian *bondage: But how must this be done? that is not yet revealed unto me* (quoth *Hugh*) and then covering his eyes with his hands, and laying downe his head on the cushion, untill the People falling into a laughter, awaken him: He started up, and cried out, *Now I have it by Revelation, now I shall tell you; This Army must root up Monarchy, not only here, but in France and other Kingdoms round about; this is to bring you out of* Ægypt: *This Army is that corner stone cut out of the Mountaine, which must dash the powers of the earth to pieces. But it is objected, The way we walke in is without president; what thinke you of the Virgin* Mary? *Was there ever any president before, that a Woman should conceive a Child without the company of a Man? this is an Age to make examples and presidents in.*

46. The Councell of War vote a Toleration of all Religions.

Decemb. 25. The Councell of Warre voted *a Tolleration of all Religions*: Thus you see they vote like States-men, as well as their Parliament.

47. The Common Councel Petition against *Skippons* additionall Ordinance in vaine.

About this time, a Committee of Common-Councell men came complaining to the House of *Skippons* additionall Ordinance, *That none should Elect, or be Elected, or execute the place of Lord Mayor; Alderman, Aldermans Deputy, Common-Councell-man, &c. that had signed the Petition for a personall Treaty, &c.* because they found the City generally ingaged in the said Petition; so that they could not find Men enough to Elect, or be Elected: Wherefore it was referred to a Committee to thinke of a remedy worse than the disease, as it proved afterwards. You see the petitioning for a *Personall Treaty* was so universall and publiq e that it could not be carried on by any private designes in Conventicles and corners; as are all the bloody *Petitions for justice, justice against capitall Delinquents, and the most High,* which being penned and solicited by the Army, or sectary Committee-men, and subscribed and prosecuted by some few beggerly Schismaticks without cloakes in the *Names of whole Counties*, (whom they had the impudence to belie) were entertained in state; and they, and that well-affected county (though they abhorred the villany) thanked for their paines.

* 48. *Somersetshire* encouraged by the House to associate all the welaffected, *i.e.* all the Anarchists and Cheaters.

* 25. *Decemb.* The House voted a Letter to be sent by way of encouragement to the county of *Somerset*, *to go on with setling*

their

their association with the well-affected, and forces of the Counties adjacent: This is to associate and Arme all the Schismaticks, Committeemen, guilty and desperate persons, Antimonarchists, and Anarchists, against all the peaceable and honest men of the Kingdome.

26. Decemb. Mr. *Pryn* sent a Letter to the Generall, demanding his liberty; and seconded it with a Declaration, as followeth:

49. M. *Pryns* Letter to the Generall, demanding his liberty

¶ Mr. *Pryn's* Demand of his Liberty to the Generall, *Decemb.* 26. 1648. with his Answer thereto. And his Declaration and protestation thereupon.

For the Honourable Lord Fairfax, *Generall of the present Army.*

50 Mr. *Pryns* Declaration seconding his said Letter.

THese are to acquaint your Lordship, That I being a Member of the Commons House of Parliament, a Free-man of England, *a great Sufferer for, & an Assertor of the Subjects Liberties against all Regall and Prelaticall tyranny, and no way subject to your owne, your Councell of Warres, or Officers military power or jurisdiction, going to the House to discharge my duty on the 6. of this instant* December, *was on the staires next the Commons House dore, forcibly kept back from entring the House, seized on, and carried away thence (without any pretext of Lawfull authority thereto assigned) by Colonel* Pride, *and other Officers and Souldiers of the Army under your Command. And notwithstanding the Houses demand of my enlargement both by their Sergeant and otherwise; ever since unjustly detained under your Marshals custody, and tossed from place to place, contrary to the known Priviledges of Parliament, the Liberty of the Subject, and fundamentall Lawes of the Land, which you are engaged to maintain against all violation. And therefore do hereby demand from your Lordship my present enlargement, and just liberty, with your Answer hereunto.*

From the *Kings-head* in the *Strand*,
Decemb. 26, 1648.

William Pryn.

This was delivered to the Generals owne hands at his House in *Queen-street*, about three of the clock, the same day it beares

date; by Doctor *Bastwicke*: who returned this answer by him, upon the reading thereof.

THat he knew not but Mr. Pryn *was already released, and that he would send to his Officers to know what they had against him.*

Who it seems act all things without his privity, and steere all the Armies present councells and designs according to their absolute wills.

¶ The publique Declaration and Protestation of *William Pryn* of *Lincolnes Inne*, Esquire; against his present Restraint, and the present distructive councells and Jesuiticall proceedings of the Generall, Officers, and Army.

I William Pryn, *A Member of the House of Commons and Freeman of* England; *who have formerly Suffered* 8 *years imprisonment* (*foure of them close, three in exile*) *three Pillories, the losse of my Eares, Calling, Estate, for the vindicating of the Subjects just rights and Liberties against the arbitrary tyranny and injustice of King & Prelates, and defence of the Protestant Religion here established: spent most of my strength and studies in asserting the Peoples just freedom, and the Power and priviledges of Parliament, against all Oppesers, and never received one farthing by way of dammages, gift, or recompence) or the smalest benefit or preferment whatsoever, for all my sufferings and publique services; Doe hereby solemnly declare before the most just and Righteous God of Heaven and Earth (the searcher of all hearts) the whole Kingdom, English Nation, and the World; that having according to the best of my skill and judgment, faithfully discharged my trust and duty in the Commons House, upon reall grounds of Religion, Conscience, Justice, Lawe prudence & right reason, for the speedy & effectuall settlement of the Peace & safety of our three distracted, bleeding, dying Kingdoms, on Monday,* Dec. 4. *I was on Wednesday morning following (the 6 of this instant) going to the House to discharge my duty, on the Parliament staires next the Commons dore, forcibly seased upon by Col.* Pride, *Sir* Hardress Waller, *and other Officers of the Army (who had then beset the House with strong Guards and whole Regiment of horse and foot) haled violently thence into the Queens Court, notwithstanding my Protestation of*

breach

breach of priviledge, both as a Member and a Freeman, by a meere usurped tyrannical power, without any lawfull Authority, or cause assigned; and there forcibly detained Prisoner (with other Members there restrained by them) notwithstanding the Houses double demand of my present enlargement to attend its sevice by the Sergeant, and that night (contrary to faith and promise) carried Prisoner to Hell, and there shut up all night, (with 40 other Members) without any lodging or other accommodations contrary to the known priviledge of Parl. the fundamentall Lawes of the Realm, & liberty of the Subject: which both Houses, the 3. Kingdoms, the Generall with all Officers & Soldiers of the Army, are by solemn Covenant & duty obliged inviolably to maintaine. Since which I have without any lawfull power or authority, been removed and kept Prisoner in severall places, put to great expences, debarred the liberty of my person, calling; and denied that hereditary freedom which belongs to me of right, both as a Freeman, a Member, an eminent sufferer for the publike, & a Christian, by these who have not the least shadow of authority or justice to restraine me, and never yet objected the least cause for this my unjust restraint.

I do therefore hereby publickly protest against all these their proceedings, as the highest usurpation of an arbitrary and tyrannical power, the greatest breach of faith, trust, Covenant, priviledges of Parl. and most dangerous encroachment on the Subiects liberties and lawes of the Land, ever practised in this Kingdom by any King or Tyrant; especially by pretended saints, who hold forth nothing but iustice, righteousnesse liberty of Conscience, and publick freedom in all their Remonstrances; whiles they are triumphantly trampling them all under their armed iron feet. And do further hereby appeal to, and summon them, before all the tribunals and powers in heaven and earth for exemplary iustice against them, who cry out so much for it against others less tyrannicall, oppressive, unjust, and sedifragus to God and men than themselves. And do moreover Remonstrate, that all their present exorbitant actings against the King, Parl. present Government, & their new modled representative, are nothing else but the designs & proiects of Iesuits, Popish Priests and Recusants (who bear cheif sway in their councells) to destroy and subvert our Religion, Lawes, Liberties, Government, Magistracy, Ministry the present and all future Parl. the King and his posterity, and our 3 Kingdoms, yea the Generall, Officers, and Army themselves, and that with speedy and inevitable certainty;

to betray them all to our forreign Popish Enemies; and give a just occasion to the Prince and Duke, now in the Papists power, to alter their Religion, and engage them, and all forreigne Princes & Estates to exert all their power to suppresse and extirpate the Protestant Religion, and Professors of it through all the world, which these unchristian, scandalous, treacherous, rebellious, tyrannicall, Jesuitical, disloyall, bloudy present Counsels, and exorbitances of this Army of Saints, so much pretending to piety and Justice, have so deeply wounded, scandalized, and rendred detestable to all pious, carnal & moral men of all conditions. All which I am, and shall alwaies be ready to make good before God, Angels, Men, and our whole three Kingdomes in a free and full Parliament, upon all just occasions; and seale the truth of it with the last drop of my dearest bloud.

In witnesse whereof, I have hereunto subscribed my Name: at the Signe of the *Kings-head* in the Strand *Decemb.* 26. 1648.

William Pryn.

51. The Councell of War forbid all state & ceremony to the King.

27. *Decemb.* The Conncell of Warre (who manage the businesse in relation to the King, saith the *Diurnall*) ordered, *That all state and ceremony should be forborn to the King, and his attendants lessened*, to mortifie him by degrees, and worke Him to their desires.

From *Dec.* 25. to 1. *January*, Num. 283.

When it was first moved in the House of Commons to proceed capitally against the King; *Cromwell* stood up and told them, *That if any man moved this upon designe, he should thinke him the greatest Traytor in the World; but since providence and necessity had cast them upon it, he should pray God to blesse their Councels, though he were not provided on the sodaine to give them counsell*: this blessing of his proved a curse to the King.

52. *Cromwels* sp. in the House when it was first propounded to trie the King.

53. The ordinance for electing Com. Councel men confirmed.

28. *Decemb.* was brought into and read in the house an Ordinance, explaining the former Ordinance for electing Common-councellmen, which confirmed the former Ordinance. It was referred back again to the said committee to consider of taking away the illegall (as they please to miscall them) Oathes of Allegiance, Supremacy, and other oathes usually administred to Officers, Free-men, &c. of the City.

The

The 28. *Decemb.* *Tho: Scot* brought in the Ordinance for Tryall of the King, it was read and recommitted three severall times, and the Commissioners Names inserted consisting of diverse Lords, Commons, Aldermen, Citizens, Country Gentlemen, and Souldiers, (that the more persons of all sorts might be engaged in so damnable and treasonable a designe) and because this Ordinance, and the proceedings thereupon had no foundation in Divinity, Law, reason, nor practice: The Commons to give it a foundation and ground from the Authority of their Votes, declared as followeth, 54 The Ordinance for trial of His Majesty passed the Commons.

Resolved &c. That the Lords and Commons assembled in Parliament, doe declare and adiudge, That by the fundamentall Lawes of the Realm, it is Treason in the King of England *for the time to come to levy War against the Parliament, and Kingdom of* England. *Diurnall* from 1. *Ian.* to the 8 of *Ian.* 1648. Numb. 286.

So together with this declaratory Vote the said Ordinance was carried up to the Lords by that Renegado Lord *Gray* of *Groby*, *Jan.* 2. 1648. The Lords met that day farre more than ordinary 16 in number, and promising to send an Answer by Messengers of their own: 55 And sent up to the Lords,

The first Question started by some Lords (who had rather have had a thinner House) was, *Whether it should be presently debated?* which passed affirmatively. The first Debate was upon the said Declaratory Vote: The Earle of *Manchester*, told them, *The Parliament of* England, *by the fundamentall Laws of* England *consisted of three Estates, 1. King. 2. Lords. 3. Commons: the King is the first and chief Estate, He calls and dissolves Parliaments, and confirmes all their Acts: and without him there can be no Parliament; therefore it is absurd to say the King can be a Traytour against the Parliament.* The Earle of *Northumberland* said, *The greatest part* (at least twenty to one) *of the people of* England *were not yet satisfyed, whether the King levied War first against the houses, or the Houses against Him? And if the King did leavie War first against the Houses, we have no Law to make it Treason in Him so to doe: And for us to declare Treason by an Ordinance, when the matter of fact is not yet proved, nor any Law extant to judge it by, is very unreasonable:* so the Lords cast off the debate, and cast out the Ordinance: and adjoured for seven dayes. 56 and Debated.

57. The Zealots of the H. of Com: offended with the Lords for casting forth the Ordin: for Tryall of the King.

Jan. 3. The Zealots of the Commons were very angry at the Lords

Lords, and threatned to clap a Pad-lock on the Dore of their House: but at last they sent up some of their Members to examine the Lords Book, and see what they had done; who brought word back, *that their Lordships had passed 2 Votes: 1. That they doe not concurre to the said Declaratory Vote. 2. That they had rejected the Ordinance for triall of the King.*

58 Votes passed by them thereupon.

Hereupon the Commons resolved to rid their hands of King and Lords together; and presently they voted, *that all Members of the House of Commons, and others appointed by order of that House, or Ordinances of both Houses of Parliament, to act in any Ordinance wherein the Lords are joyned, shall be empowred and enioyned to sit, and act, and execute in the said severall Committees of themselves, notwithstanding the House of Peers ioyne not with them therein.* Upon the debate, many hot-brain'd men insisted upon it, *That the Lords who reiected the Ordinance should be themselves impeached for favouring the grand Delinquent of England,* (you see the King was likely to have much justice, when his Judges must either condemn him, or be condemned) others thought it more prudence to touch their priviledges, and let alone their persons.

Die Jovis, 4. Jan 1648. The Commons passed these 3. Votes,

A question in Divinity voted in Parlament never agreed to by Divines. This we find *de facto*, in the subversion of our Religion, Lawes, Liberties and Properties, though not *de jure*. You see that since both Houses ravish'd the Supremacy from the King, and a petty Faction from the Houses; our Lawes are first shrunke into arbitrary Ordinances of both Houses; and now into Orders of a remaining Faction of one House.

1. *That the People* (that is, their own faction, according to their said principle) *are under God the originall of all just Power.*

2. *That the Commons of England in Parliament assembled, being chosen by, and representing the People, have the Supreme power of this Nation.*

3. *That whatsoever is enacted or declared for Law by the House of Commons assembled in Parliament, hath the force of Law:* and all the People of this Nation are concluded thereby, although the consent or concurrence of the King or House of Peers be not had thereunto. This chain-shot sweeps away King, Lords, Laws, Liberties, property, and fundamentall Government of this Nation at once; and deposites all that is, or can be neere or deare unto us *in scrinio pectoris*, in the bosomes and consciences of 50. or 60. factious covetous Saints, the dregs and lees of the House of Commons sitting and acting under the power of an Army: and yet the House of Commons never had any *Power* of *Judica-*

ture,

ture, nor can legally administer an Oath; but this in pursuance of their aforesaid principle, that they may passe through any forme of Government to carry on their Designe: the *Diurnall* tels you, *there was not a Negative Voice:* this shewes under what a terror they sit, when (in things so apparently untrue) no man durst say, *No*; so the said Declaratory Vote and Ordinance for Triall of his Majesty (by a Court Martiall, if the *Diurnall* Speake true, and yet the King no Prisoner of War) was passed only in the name and by the Authority of the Commons: Notwithstanding, the Order of the House, *That the Clerke should not deliver a Copy of the said Ordinance to any Man*, I here present the Reader with a Copie thereof.

59. The Act for tryall of the King.

¶ An Act of Parliament of the House of Commons, for Triall of *Charles Stuart* King of *England*.

WHereas it is notorious that Charles Stuart *the now King of* England *was not content with the many encroachments which his predecessors had made upon their People in the rights and Freedome, hath had a wicked designe to subvert the ancient and fundament all lawes and liberties of this Nation, and in their place to introduce an arbitrary and tirannicall Government, and that besides all evill waies to bring his Designe to passe, he hath prosecuted it with fire and sword, leavied and maintained a civill War in the land, against the Parliament and Kingdome; whereby this Country hath been miserably wasted, the publique Treasure exhausted, Trade decayed, thousands of People murdered, & infinite of other mischeifs committed, for all which high offences the said* Charles Stuart *might long since have been brought to exemplary & condigne punishment.*

Quære, Whether the Faction doe not transfuse these Crimes from themselves to the King, with many others.

Whereas, also the Parliament well hoping that the restraint and imprisonment of his person, after it had pleased God to deliver him into their hands, would have quieted the distempers of the Kingdom, did forbeare to proceed judicially against him, but found by sad experience that such their remissnesse served only to encourage him, and his Complices in the continuance of their evill practises, and in raising new commotions, Rebellions, and Invasions: For prevention of the like and greater inconveniences, and to the end no chiefe Officer or Magistrate may hereafter presume Traiterously and Malitiously

to imagine or contrive the enslaving or destroying of the English Nation, and to expect impunity. Be it enacted and ordained by the Commons in this present Parliament assembled, and it is hereby enacted and ordained, that

Thomas Ld. *Fairfax*, Generall.
Oliver Cromwell, Lieu. Generall.
Com. Gen. *Ireton.*
Major Gen. *Skippon.*
Sir *Hardresse Waller.*
Col. *Valentine Walton*
Col. *Thomas Harrison*
Col. *Edward Whalley.*
Col. *Thomas Pride.*
Col. *Isaac Ewer.*
Col. *Rich: Ingolsby.*
Sir *Henry Mildmay.*
Sir *Tho: Honywood.*
Thomas, Lord *Grey.*
Philip, Lord *Lisle.*
VVill: Lord *Munson.*
Sir *John Danvers.*
Sir *Tho. Maleverer.*
Sir *John Bowcher.*
Sir *James Harrington.*
Sir *William Brereton.*
Robert VVallop, Esqu;
Wil. Henningham, Esq.
Isaac Pennington, Alderman.
Thomas Atkins, Ald:
Col. *Rowland Wilson.*
Sir *Peter Wentworth.*
Col. *Henry Martyn.*
Col. *William Purefoy.*
Col. *Godfrey Bosvil.*
John Trenchard, Esq.
Col. *Harbottle Morley*
Col. *John Berkstead.*
Col. *Mat. Tomlinson.*
John Blackston, Esq.
Gilb: Millington. Esq:
Sir *VVil: Cunstable.*
Col. *Edward Ludlow.*
Col. *John Lambert.*
Col. *Jo: Hutchingson.*
Sir *Arth: Hazlerigge.*
Sir *Michael Livesley.*
Rich: Salway, Esq.
Humph: Salway, Esq.
Col. *Rob: Titchburne*,
Col. *Owen Roe.*
Col. *Rob: Manwaring.*
Col. *Robert Lylburne.*
Col. *Adrian Scroope*,
Col. *Richard Dean.*
Col. *John Okey.*
Col. *Robert Overton.*
Col. *John Harrison.*
Col. *John Desborough.*
Col. *William Goffe.*
Col. *Rob: Dukesfield.*
Cornelius Holland, Esq.
John Carne, Esq.
Sir *Will: Armine.*
John Jones Esq.
Miles Corbet, Esq.
Francis Allen, Esq.
Thomas Lister, Esq.
Ben: VVeston, Esq.
Peregrin Pelham, Esq.
John Gourdon, Esq.
Serj. *Francis Thorp.*
John Nut, Esq.
Tho: Challoner, Esq.
Col. *Algern: Sidney.*
John Anlaby, Esq.
Col. *John Moore.*
Richard Darley, Esq.
William Saye, Esq.
John Aldred, Esq.
John Fagge, Esq.
James Nelthrop, Esq.
Sir *VVill. Roberts.*
Col. *Francis Lassels.*
Col. *Alex: Rixby.*
Henry Smith, Esq.
Edmond VVilde, Esq.
James Chaloner, Esq.
Josias Barnes, Esq.
Dennis Bond, Esq.
Hump: Edwards, Esq;
Greg. Clement, Esq:

John

John Fray, Esq:
Tho: VVogan, Esq.
Sir *Greg: Norton.*
Serj: *John Bradshaw.*
Col: *Edm: Harvey.*
John Dove, Esq.
Col. *John Venn.*
John Foulks, Alder:
Thomas Scot, Alder:
Tho: Andrewes, Ald:
VVilliam Cawley Esq.
Abraham Burrell, Esq.
Col. *Anthony Stapley.*
Roger Gratwicke, Esq:
John Downes, Esq.
Col: *Thomas Horton.*
Col: *Tho: Hammond.*
Col: *George Fenwicke.*
Serj: *Robert Nichols:*
Robert Reynolds, Esq;
John Liste, Esq.
Nickolas Love, Esq:
Vincent Potter.
Sir *Gilbert Pickering:*
John Weaver, Esq:
John Lenthal, Esq:
Sir *Edward Baynton.*
John Corbet, Esq:
Thomas Blunt, Esq.
Thomas Boon, Esq.
Augustin Garland, Esq.
Augustin Skinner, Esq,
John Dikswel, Esq.
Col. *George Fleetwood*
Simon Main, Esq.
Col: *Iames Temple.*
Col: *Peter Temple.*
Dan: Blagrave, Esq.
Sir *Peter Temple.*
Col: *Thomas VVayte.*
John Browne, Esq:
John Lowrey, Esq:

Mr: *Bradshaw*, nominated President.

Counsellors assistant to this Court, & to draw up the charge against the KING, are,
Doctor *Dorislaw:*
Master *Steele:*
Master *Aske:*
Master *Cooke:*

Serjeant *Dandy*, Serjeant at Armes:

Mr. *Philips*, Clerk to the Court.

Messengers and dore-keepers, are,
Master *Walford*,
Master *Radley*,
Master *Paine*,
Master *Powel*,
Master *Hull*,
And Mr. *King*, Crier.

shall be, and are hereby appointed Commissioners and Iudges for the hearing, Trying, and Iudging of the said Charles Stuart: *and the said Commissioners, or any 20. or more of them shall be, and are hereby Authorized and Constituted an High Court of Iustice, to meet at such convenient times and place as by the said Commissioners, or the major part, or 20. or more of them under their hands and seales shall be appointed and notified by publick Proclamation in the great Hall, or* pallace yard *of* Westminster; *and to adjourn from time to time, and from place to place, as the said High Court or the major part thereof meeting shall hold fit, and to take order for the charging of Him the said* Charls Stuart *with the Crimes above mentioned, and for the*

receiving His Personall Answer thereunto, and for examination of Witnesses upon oath (if need be) concerning the same; and thereupon or in default of such Answer to proceed to final sentance according to justice & the merit of the cause, to be executed speedily and impartialy. And the said Court is hereby Authorised and required to chuse and appoint all such Officers, Attendants, and other circumstances as they, or the Major part of them shall in any sort judge necessary or usefull for the orderly and good managing of the premisses: and Tho: Lord Fairfax* *the Generall, with all Officers of justice, and other wel-affected persons are hereby Authorized and required to be aiding and assisting unto the said Commissioners in the due execution of the trust hereby committed unto them, provided that this Ordinance, and the Authority hereby Granted doe continue for the space of one Month from the date of the making hereof, and no longer.*

Thest wise men of *Gotham* could not tell whether Witnesses upon oath were necessary upon Trials of life and death. But (I confesse) that upon the defensive part, upon Indictments, Witnesses upon Oath were not to be heard against the King, much more accusers of the King.

* The Generall is no Officer of justice. All wel affected Persons tag and rag invited to assist in a Tumultuary way to destroy the King if need had been, that is, all Antimonarchists.

60 Anew Great-Seale to be made.

But at last they stumbled at a rub not foreseen; They could not use the old Great Seale against him, because it was the Kings Great Seale (no more could they use any of our Lawes, Courts, or Judges against him, because they are all the Kings) the Sculpture upon it is, *Carolus Dei Gratia*, neither would the grace of God square with their proceedings: they must therefore make a new great Seale; but that was long a making, and their fingers were in the fire: they therefore proceeded without any Commission under Seale, onely upon the said Ordinance, and every Commissioner set his owne hand and Seale to the publique instruments of their proceedings: what need ceremonies when men are resolved upon the substance?

61 The jews petition the Councell of War to have the Statute of their banishment repealed.

About this time the Hebrew Jewes presented a Petition to the uncircumcised Iewes of the Councell of Warre, *That the Statute of Banishment against them may be repealed, and they readmitted to a Synagogue & Trade amongst us*; they offer for their readmission, Saint *Pauls* Church, and the Library at *Oxford*, 500000. pound, but 700000. pound is demanded: *Hugh Peters* and *Harry Martin* solicite the businesse. Upon this occasion was published this Paper ensuing.

¶ The

¶ The last Damnable Designe of CROMVVELL and IRETON, and their Junto or Caball; intended to be carried on in their Generall Councell of the Army; and by their Iourney-men of the House of Commons, when they have engaged them desperately in sinne, past all hope of retreat by Murdering the King.

62. A Paper published upon occasion of the Iewes Petition.

MAjor White, *a member of the Army, long since at* Putney *foretold, that shortly there would be no other power in* England *but the Power of the Sword: and* Will. Sedgwick *in his Booke called* [Iustice upon the Armies Remonstrance] *saith, the Principle of this Army is, to breake the Powers of the Earth to Pieces: and* Iohn Lilburne *in his* [*Plea for Common Right*] *pag. 6. saith, The Army by these extraordinary proceedings, have overturned all the visible Supreme Authority of this Nation: that is, they have, and will, by seizing upon the Members of Parl: dissolving it, and setting up a new invented Representative, and bring the King to capital punishment, and disinherit his posterity, subvert the Monarchicall Government, and Parliaments of this Kingdom; the Lawes and Liberties of the People, and so by bringing all to Anarchy and confusion put the whole Government of the Land under the Arbitrary power of the Sword*

In order to which they have, and will overturne the Government of the City of London *by a Lord Mayor and Aldermen, and Governe it by Commissioners, and a schismaticall Common Councell of* Anabaptists, *illegally chosen; and deprive them of their Charter of incorporation, and franchises and this shall be a leading case to all the Corporations of* England.

Their next designe is, to Plunder, and disarme the City of London, *and all the Country round about; thereby to disable them to rise when the Army removes, but not to the use of the Soldiers, although they greedily expect the first weeke in* February *the time appointed) from whom they will redeeme the Plunder at an easy rate; and so sell it in bulk to the Iewes, whom they have lately admitted to set up their banks, and Magazins of trade amongst us, contrary to an Act of Parliament for their banishment; and these shall be their Merchants to buy of for ready mony, (to maintaine such Warres as their violent*

proceedings will inevitably bring upon them) not onely all Sequestred and Plundred goods, but also the very Bodies of Men, Women, and Children, Whole Families taken Prisoners for sale, of whom these Iewish Merchants shall keep a constant trassique with the Turks, Moores, *and other Mahometans; the* Barbadus, *and other English Plantations being already cloyed with* Welch, Scottish, Colchester, *and other Prisoners imposed by way of sale upon the Adventurers: and this is the meaning of* Hugh Peters *threat to the London Ministers, That if another Warre followed, they will spare neither Man, Woman, nor Child: For the better carrying on of which Design, the said Caball, or Junto, keep a strict correspondency with* Owen Roe O Neale, *the bloudy Popish Antimonarchical Rebell in* Ireland, *and the Popes Nuntio there. The antimonarchicall Marquesse of* Argyle *in* Scotland; *the Parisian, Norman, and Picarde Rebels in* France; *and the Rebell King of Portugall. If danger be not held so close to your eys that you cannot discern it, looke about you English. But this Kingdome is not to be saved by Men that will save themselves; Nothing but a Private hand, and a Publique Spirit can redeem it.*

63 Master *Pryns* second Letter to the Generall

The 3. *Ianuary* 1648. Master *Pryn* sent a Letter to the Generall, demanding what kind of Prisoner, and whose he was? as followeth:

¶ *To the Honourable* Thomas *Lord* Fairefax, *Generall of the present Army, these present.*

My Lord

IT is now a full Moneths space since I (with other Members of the Commons House) have been forcibly apprehended and kept Prisoner by some of your Officers and Marshall, against the Priviledges of Parliament, the Liberty of the Subject, the Lawes and Statutes of the Realme, and all rules of justice, conscience, and right reason; without the least shadow of Authority, or any cause at all yet made knowne to me, of which (were there any) neither God nor man, ever yet made your Lordship or your Officers, Judges. I therefore desire to know from your Lordship, what kind of Prisoner I am? and whose? If a Prisoner of peace, neither

neither your Lordship, nor your Officers, are any Justices of the peace, or Civill Magistrates in this place, to restrain me for any civill crime, were I guilty of it, much lesse without proof or hearing, in case I were no Member: but being neither guilty nor accused of any such crime, and a Member too, no Magistrate can, nor ought to imprison me upon any pretext, at least without the Houses licence first obtained. If a Prisoner of Warre, which I cannot probably be, being never in Arms, and apprehended neer the Commons House dore, going peaceably and unarmed thither, to discharge my duty; then you, and your Officers thereby acknowledge, That you have levied Warre against the Parliament, and its Members: and what capitall offence this is, and what a punishment it deserves, I need not informe your Lordship, or your Councell, who have for this very crime, condemned and shot some to death, as Traytours: and demanded speedy justice and execution for it upon the King himselfe.

I have but one thing more to trouble your Lordship with, and that is, to demand whose Prisoner I am? having yet seen no Warrant nor Order from your self, or your Officers, for my restraint, though I have oft demanded it of your Marshall: If your Lordships Prisoner, there appearing yet no legall Authority, cause, or Warrant, for my restraint; I must then crave so much justice from your Lordship (being but a Subject, and not yet paramount all Lawes) to order your Attorney to give an Appearance for you in the *Kings Bench*, the first returne of the next Tearme, to an action of false Imprisonment, for this my unjust restraint; which I intend (by Gods assistance) effectually to prosecute. If your Officers Prisoner onely and not yours, which I conceive, who yet abuse your name and authority herein, though it be a rule in Law and Divinity too, *Qui non prohibet malum quod potest, jubet*; yet I shall be so just as to set the saddle upon the right horse, and commence my action onely against such of your Officers, who have been most active in my Imprisonment, for damage and reparations, which if there be any justice remaining under Heaven, I doubt not but I shall recover in Gods due time, in this publique cause which so highly concernes the honour, freedome, and Priviledges of Parliament, and Subjects Liberties: for defence and maintenance whereof, as I have hitherto spent my

strength

strength, and adventure my life, body, liberty, and estate, so shall I now againe engage them all, and all the friends and interests I have in Heaven and Earth, rather then they shall suffer the least diminution, prejudice or eclips by my stupid patience under this unjust captivity; though I can as willingly forgive and put up private injuries, when the publique is not concerned, as any man. All which, I thought meet to informe your Lordship of, whom I am heartily sorry to see somuch dishonoured, abused, and misled by rash ill-advised Officers, and dangerous, distructive (and I dare say Jesuiticall) Councells, to the Parliaments dissipation, the Kingdomes prejudice, *Irelands* losse; most good mens and Ministers griefe, your best Friends astonishment, your enemies and the papists triumph, our Religious Scandall, and your own dishonour: which I beseech you as an Englishman, a Christian, a Professor of Piety and Religion, a Souldier, a Generall, to lay sadly to your heart, as the earnest request of

From my Prison at the Signe of the *Kings head* in the *Strand*, *Jan.* 3. 1648.

Your Lordships faithfull Friend and Monitor,

William Pryn.

¶ *An additionall Postscrpt.*

WE read, *Luke* 3. 14. that when the Souldiers demanded of *John Baptists*, saying, and *what shall we doe?* he said unto them, *Doe violence to no man*, (or put no man in-feares) *neither accuse any falsly, and be content with your allowance*: not Imprison, Depose, or murder Kings, pull downe Parliaments, Imprison, violently shut out and drive away Parliament-men, and then lay all false accusations and Scandalls upon them to colour your violence, subvert Kingdomes, alter States, breake all bonds of Lawes, Oathes, Covenants, Obligations, Engagements to God and men; Usurpe all Civill, Military and Ecclesiasticall power, and the Kings Royall Pallaces into your own hands, as supreme Lords and Kings, raise what new forces, and leavie what new Taxes you please, take up what Free quarters and Houses, seize and plunder what publick Treasuries and monies you please

pleaſe, without Commiſsion or Authority, obey neither God nor Man, neither Parliament nor Magiſtrate; and be content with nothing, but alter and ſubvert all things. Theſe are Saint *Peters* new Doctrines and Revelations, to our Officers and Souldiers now, and thoſe Jeſuits who lurke amongſt them, not *John the Baptiſt*, whoſe Canonicall advice is now rejected as Apocrophall, even among the Army Saints, who preferre every *Ignis fatuus*, though from *Doway* or *Rome* it ſelfe, before this burning and ſhining old light, and are guided only by a new minted Law of pretended providence or neceſsity of their own forging, and not by the revealed will and Law of God, the ſacred light whereof their preſent works o Darkneſſe dare not approach, leſt they ſhould be reproved and condemned by them. But ſome 43. Actions of falſe impriſonment by the impriſoned, and 150 Actions of the Caſe by the Secluded Members, brought againſt thoſe domineering Lawleſſe Officers and Grandees of the Army, wherein good dammages will be recovered, and ſome twelve Indictments of High Treaſon againſt them for laying violent hands upon the Kings Perſon, and the Members, and Leavying War againſt the Parliament, will teach them more Obedience, Humility, and modeſty then either *John Baptiſt*, Saint *Paul*, Saint *Peter* or Saint *Peters* will doe; and be like *Gideon* thornes and briars of diſciplin to theſe men of *Succoth*, with whome no faire means will prevaile; who might have learned ſo much Law and Juſtice from an Heathen Souldier and Governour *Feſtus*, *Acts* 25. 27. *It ſeemeth unto me unreaſonable to ſend* (much more to commit) *a Priſoner, and not withall to ſignifie the Crimes laid againſt him*; and come ſhort of that ingenuity of the heatheniſh Cheife Captaine who ſeized upon *Paule*, thereby to appeaſe the Tumult at *Hieruſalem*, *Acts* 22. 27. 29. who as ſoone as ever *Paule* told him, *he was a Roman, and Free-borne*; *then ſtraight way they departed from him who ſhould have examined him*; *and the Chiefe Captaine alſo was affaid, after he knew that he was a Roman, and becauſe he had bound him.* And ſhould not falce impriſoning of a Parliament-man and a Free-borne Engliſh-man be as formidable to our chiefe Captains (being a Chriſtian; I ſay, ſworne and vowed to defend the Houſes Priviledges, and Members Perſons) as the Impriſonment of a Roman was to this chiefe Captaine, and they as ingenious and juſt

as he, who shall rise up in Judgment against them, and condemn them at the last.

I shall close up all with this observation, That as the most glorious Angels in Heaven, when they fell (through pride and ambition as most conceive) became the very foulest Devils in Hell; so the most resplendent seeming hypocriticall Saints when they fall through the like sinnes, and have power in their hands, become the most incarnate Devils, and Monsters of treachery and tyranny upon earth, exceeding Turks and Pagans therein, of which we have now sad experience in our Army Saints, who every day aggravate, and yet justifie their impieties and exorbitances. 2. *Chronicles* 28. 11. *Now heare me therefore, and deliver the Captives again, which ye have taken Captives of your Brethren; for the fierce Wrath of God is upon you.*

Will: Pryn.

65. Another forged Letter endeavoured to be fastned upon Sheriffe *Brown*.

The Saints having nothing to say against Major Generall *Browne*, (unlesse they should accuse him for being true to King, Parliament, Citie, and Kingdome, and to all the first declared Principles of this Parliament) fell to their old trick to fasten another counterfeit Letter upon him: wherefore a Man comming to S. *James's* (where he was then imprisoned) desiring in the hearing of all present, to speake with him in private; Major Gen. *Brown* told him He was not for private conference, and bade him speake openly; then the Fellow presented a Letter to him, saying. It was from the Prince. but Major Gen. *Browne* (remembring the like trick put upon him before) called for the Guard to apprehend him; when presently the Messenger threw the Letters into the fire, and the Marshall catching them out half burnt, affirmeth, He saw *Charles prince*, written upon them. Sanctified eyes may see through the spectacles of their own fantasie what they please to accomplish their Designe, and therefore they have a new Principle or light (which as the 7. *May*, be added to the aforesaid 6.) that though they have no proofs nor evidence against a man, yet if in their consciences, they think him guilty, they may condemn him upon the testimony of their owne consciences; this is to condemne by Revelation such whose bloud they desire to sucke. This supposed Messenger from the Prince was seized by the Guard;

Guard, but no proceedings against him heard of; which argues it was but a snare set to catch the Major.

About this time (to second this device) a Man gallantly clothed, and mounted, comes to the *Beare* in the *Strand*, gives the Hostler a Peece, and bids him have a care of his Horse; then goes into the City, and (the plot being forelaid) was taken there with Letters subscribed with the Princes name to divers Citizens and Members, against whom they want matter of accusation: I heare no more of this matter yet; this is a device dormant, to be awakened hereafter, if any shall oppose the present actings of the Army and their Parliament.

65 Another more generall forgery to endanger whom the Faction pleast. It will be proved that divers Witnesses have been practised and tampered with against Mr. *Browne* and others.

Cromwell, *Ireton*, and *Hugh Peters* have severall times made it their errand to go into the City and visit the Ministers, giving them threatning Admonitions, *not to Preach any thing against the Actings of the Army and their parliament*: But *Hugh* acted his part above them all; he tooke some Musketiers with him to the house of Master *Calamy*, and knocking at the dore, a Maid asked *whom he would speak with?* he told her, *with her Master*; shee *asked his name?* he replyed, Mr. *Hugh Peters*: the Maid going up the staires to acquaint her Master (who was above staires in Conference with some Divines) over heard *Peters* say to the Souldiers, *The very name of* Peters *will fright them all*: Peters being called up the staires, told Mr. *Calamy*, *He was commanded by the Generall to warne him to come before him*: Mr. *Calamy* (leaving *Peters* vapouring and canting Religion and non-sense to the rest of the Divines) slipt down staires and went to the Generall to know his pleasure, telling him, *He had been summoned before him by Hugh Peters*: the Generall said, *Peters was a Knave, and had no such directions from him.*

66 *London* Ministers threatned. See the Ministers of *Londons* Letter to the Generall, called, [*A serious representatiō.*] dared *Ian.* 18. 1648.

Since this, the Councell of Warre (finding it difficult to stop the Ministers mouths) have sundry times debated, *How to shut up the Churches dores in the City, for Reformation of the Church, and propagation of the Gospell*: they have imprisoned Mr. *Caston* (a worthy Minister, *for praying for King CHARLES*, and threaten to try him for his life in the Upper Bench (forsooth) which all the Lawes call, *the Kings Bench*: and upon their new Acts of Parliament, made by a ninth part of the Members, the small remnant or Junto of the House of Commons; notwithstanding, by *The*

67 The C. of War consider how to shut up the Churches dores.

Directory for publique worſhip, (eſtabliſhed by both Houſes) the Miniſters are enjoyned to *pray for the King*. It is ſaid that Mounſieur *Paux* (one of the Dutch Agents here) hath adviſed *Cromwell*, *to ſtop the Miniſters mouthes by hanging up a dozen of them*; and vouches a preſident for it in the Low Countries.

68 The Lords ſent ſome Votes to the Commons for their concurrence.

Ian. 9. The Lords ſate againe and paſſed ſome Ordinances, which they ſent downe to the Commons for their concurrence, to feele their puls, whether they would vouchſafe to take ſo much notice of them? the Commons laid them aſide after ſome expreſsions of diſdaine.

69 Sergeant *Danby* proclaimeth the ſitting of the new High Court of Iuſtice.

This day Sergeant *Denby*, Sergeant at Arms to the Commiſsioners for triall of his Majeſty, rode into Weſtminſter-hall with the Mace belonging to the Houſe of Commons upon his ſhoulders; and ſome Officers attending him, all bare, and 6 Trompetors on horsback before him, Guards of Horſe and Foot attending in both the Palace yards, The 6 Trumpetors ſounded on Horſeback in the middle of the Hall, and the Drums beat in the Palace yards, after which a Proclamation was read aloud by Mr. *King*, one of the Meſſengers of the ſaid High Court of Juſtice, to this purpoſe; to give notice, *That the Commiſſioners were to ſit to morrow, and that all thoſe that had any thing to ſay againſt* CHARLES STVART *King of* England *might be heard.* The like was done in *Cheapſide*, and at the *Old Exchange*.

70 The Gr. Seale Voted to be broken.

This day the remainder of the Houſe voted their Great Seale to be broken, in order to the making of a new one, juſtly putting the ſame affront upon their own Seale, which they had formerly put upon the Kings. Upon this occaſion Mr. *Pryn* (it is ſaid) publiſhed his *Memento* to the unparliamentary Junto, therein telling the Houſe,

71 Mr. *Pryns Memento* to the unparliamentary Iunto.

That being forcibly ſecluded from the Houſe by the Officers of the Armies violence, whereby he could not ſpeak his mind to them freely in, or as the Houſe of Commons, yet he would write his thoughts to them as private perſons onely under a force, conſulting in the Houſe without their fellow Members advice or concurrence, about ſpeedy Depoſing and Executing King CHARLES *their lawfull Soveraigne, to pleaſe the Generall Officers, and Councell of the Army. (who have uſurped to themſelves the ſupreme Authority both of King and Parliament) or rather the Ieſuits and Popiſh Prieſts among them.*

1. By

1. By the Common Law the *Stat.* 25. *Edw.* 3. and all other Acts concerning Treason, *It is High Treason for any man by overt act to compasse the death of the King, or his eldest Sonne, though never executed:* and so adjudged by Parliament in the Earle of *Arundels* Case, 21. *Ric.* 2. *Plac. Coronæ. n.* 4. 6. 7.

‡ Cok 5. Insti. 4. 1 Stamf. Pleas of the Crown, l. 1. c. 1. 2.

2. In the Oath of Allegiance (which every man takes before he sits in Parliament) you acknowledge him to be *lawfull and rightfull King of this realme; and that the Pope neither of himselfe, nor by any Authority of the See of* Rome, *or by any other means, with any other, hath any Power or Authority to depose the King, &c.*

3. Your selves amongst other Members, in above one hundred Remonstrances, Declarations, Petitions, Ordinances, &c in the name of the Parliament have professed, *you never intended the least hurt, injury, or violence to the Kings Person, Crowne, Dignity, or Posterity; but intended to him and his Posterity more Honour, Happinesse, Glory, and Greatnesse then ever any of his Predecessors enjoyed. That you would make good to the uttermost with your lives and fortunes the Faith and Allegiance you have alwaies borne to him. That all Contributions, Loanes, should be imployed only to maintaine the Protestant Religion, the Kings Authority, Person, Royall Dignity, Laws of the Land, Peace of the Kingdome, and Priviledges of Parliament. That the Forces Raised by the Parliament were for defence of the Kings Person, and of both Houses. That the Parliament will ever have a care to prevent any danger to his Person. That they are resolved to expose their lives and fortunes for maintenance of the Kings Person, Honour, and Estate, and the Power and Priviledges of Parliament,* when the King taxed the Houses for insinuating. *That if they should make the Highest president of other Parliaments thair patterns* (that is, depose the King) *there could be no cause to complaine of them:* Both Houses by two Declarations protested against it, saying, *That such thoughts never entred, nor should enter into their Loyall, Hearts.*

Exact Collect. p. 16. 19. 21. 59 66. 83. 102. 103 118. 123. 125. 141. 142. 143. 173. 180. 195 219. 259. 281. 307. 380. 312. 360. 376. 457. A Colle&. &c. p. 13. 18. 41. 43 44. 49. 51. 61. 64. 96. 118. 182 310. 321. 424. 425. 496. 599. 623. 696. 806. 807. 879.

Appendix. p. 15 Exact Collect. pag. 298. 695. 696. 657. 658. 991.

4. By the Protestation, *they declare in the presence of God to defend the Kings Person and Estate, and that their Armies under* Essex *and* Fairfex *were raised for that purpose* inter alia.

Collect. of all. Order. p. 8. 13. 41. 43 44. 49. 51. 61. 64. 66. 99. 623. 696. 879. Appendix. pag. 15.

5. By the Nationall Covenant, *they vowed to defend the Kings Person and Authority in preservation of true Religion and Liberties*

of the Kingdom, and that they will all the daies of their lives continue in this Covenant againſt all oppoſition.

6. You monopolize *the ſupreme power* into your owne hands; robbing both King, Lords, and the reſt of your fellow Members thereof, whom yon are content ſhould be violently ſhut out by your Army, who have leavied Warre againſt the Parliament to diſſolve it; till the removall of which force, and reſtoring your Members with freedome and ſafety, you ought not to ſit or Act by your Armies owne doctrine in their Remonſtrance, *Auguſt* 18, and by the Declaration and Ordinance of both Houſes, *Auguſt* 20. 1647. See 21 *R.* 2. *c.* 12. 1 *H.*4.*c*: 3. 31 *H* 6.*c.* 1. 39 *H.* 6.*c.* 1. See the memorable Record, 6. *E.*3. *Parl. apud Ebor. n.* 1, 2. *dorſo clauſo.* 6 *E.*3. *m.*4. 6 *E.*3. *apud Weſtm' Parl* 2.*n.*1. 13 *E.*3. *parl.*2.*n.*4. and many more Rolls, *where Parliaments when any conſiderable number of Members of either Houſe were abſent, refuſed to ſit* (though under no force) *till the Houſes were full.*

Alſo, 15.*E.*3. *n.* 5. 17 *E.*3. *n.* 2. 6. 18. *E.*3. *n.*1 2. 5. &c. 1. *R.* 2. *n.*1. 2 *R.*2. *n.*1. 3 *R.*2. *n.*1. 4 *R.* 2. *n.* 1. 5 *R.*2. Parl. *n.*1. Par. 2. *n.*1. 8. *H.*4 *n.* 28.

7. You have neither Law nor preſident for what you doe, *Edw.* 2. *Rich.* 2. were forced by *Mortimer* and *H.* 4. to reſign their Crowns in a formall way, one to his Sonne, the other to his conquering Succeſſour, neither of them to the Parliament, and at laſt Depoſed by a ſubſequent Sentence of Parliament, *as unfit to Raign*, without any formall Triall.

* 72 The Armies party in the H. approve the matter of the Co: of Officers accuſatory anſ. againſt the ſecured Members without hearing them. See M. *Ib. Gretzer* anſ. to that ſilly Sophiſter *Ib. Goodwin* cailed, *Might overcomming, right.*

* *Jan.* 11. 1648. The Houſe read the Anſwer of the Generall Councell of the Army, concerning the ſecured and ſecluded Members, and (as I have formerly ſaid) without hearing what the ſaid Members could ſay for themſelves, approved the Matter of it: whereupon the ſecured and ſecluded Members, 20. *Jan.* 1648, (with much adoe) got printed their *Vindication againſt the aſperſions caſt upon them in The humble Anſwer of the Generall Councell of the Officers of the Army, concerning the ſecuring and ſecluding the ſaid Members:* The ſum whereof is as followeth;

73. The ſec. & ſecl. Mem. Defence againſt the ſcandalous An. of the Co: of W.

By the Preamble of this Anſwer, and by the Propoſalls of the 6. *Decemb.* and the late Declaration and Remonſtrance therein cited, it appeares this deſigne *to break the Houſe by force*, hath been long ſince plotted and contrived which action, The Generall Councell of the Army in their ſaid Anſwer, ſay, *Is a courſe in it ſelf irregular and not juſtifiable, but by honeſt intentions & extraordinary neceſſity:* the weakneſſe of which Anſwer we muſt examine,

mine, but first must state the case betweene us; *They are an Army raised by Ordinance of Parliament, of* 15. Febr. 1644. *for defence of King and Parliament, the true Protestant Religion, the Laws and Liberties of the Kingdom, and to be from time to time subject to such Orders and directions as they shall receive from both Houses of Parliament:* and to this end they stand Commissioned by them, and receive pay from them to this day. And besides this trust thus lying upon them, they are under the obligation of a solemne Covenant, sworn to God, *That they will in their place and callings, with sincerity, reality, and constancy with their estates and lives, preserve the Rights and priviledges of the Parliament; and the Liberties of the Kingdom and defend the Kings Person and Authority in defence of the true Religion, and Liberties of the Kingdome*; they being under the said trusts and Oath, march up to *Westminster* (contrary to order) in a hostile way, forcibly secured, secluded, and drove away many of the Members: the Question is, *Whether this Action be Justifiable upon pretence of Honest intentions and Necessity.*

Their good intentions cannot be knowne but by their expressions and action; and they referre us to their Proposals, Declarations, and Remonstrances, where we find their desires are:

1. *To take away the Kings life.*
2. *To take away the lives of the Prince, and the Duke of* Yorke; *at least to dis-inherit both them and all the Kings Children.*
3. *To put a period to this Parliament.*
4. *To set up a new Representative of their own, which takes away all Parliaments.*
5. *To have an Elective King, if any.*

These are their Honest intentions for publique good, which must come in to justifie their waging warre against their Masters this Parliament: To name them, is to confute them; as being apparently against the Lawes of God and the Land, under which they live, and which they are engaged to maintaine; we shall produce no other Witnesses to prove this but themselves. On the 15. of *Novemb.* 1647. *The Agreement of the people,* (which is lower in demands than these which they call, *Honest intentions for publique good*) was condemned by the Army. The promoting it in the

Army

Army judged *mutanous and capitall*; Col. *Rainsborough* and Major *Scot* complained of in the Houſe for appearing in it; and the Paper it ſelfe adjudged by the Houſe, *deſtructive to Governments and the being of Parliaments.*

The ſecond pretence or Principle is, *Extraordinary Neceſſity for the ſame end.*

To this we ſay, 1. The Army made the ſame plea of Neceſſity in their Remonſtrance, *June* 23. 1647. upon quite contrary grounds to what they expreſſe now, and both to juſtifie the ſame violent proceedings againſt the Parliament, then, when the King was ſeized upon by a party of the Army (without Order from the Houſe) and the Army advanced againſt the Parliament. They ſay in their Letter to the Houſe, *July* 8. 1647. *There have been ſeverall Officers of the Army upon ſeverall occaſions ſent to his Majeſty; the firſt, to preſent to him a Copy of the Repreſentations; and after that ſome others, to tender him a Copy of the Remonſtrance: upon both which, the Officers ſent, were appointed to cleere the Sence and intentions of any thing in either Paper, whereupon his Majeſty might make any Queſtion.* There the Army Treated with the King, yet now they offer violence to the Parliament for Treating with the King. Then in their Remonſtrance, 25 *Iune*, 1647. they ſay, *We clearly profeſſe, we doe not ſee how there can be any peace to this Kingdome firme and laſting without a due conſideration of, and proviſion for the Rights, quiet, and immunities of His Majeſties Royall Family, and his late Partakers:* now they judge the Majority of the Houſe corrupt for moving one ſtep towards a Peace with the King, though he hath now granted more to them then all the Armies Propoſalls then demanded of him. Thus they make this a general *plea of neceſſity* ſerve to juſtifie the contradictions; which they are put to by making themſelves Judges of thoſe things they have no calling to meddle with; for by what Authority are they Judges of publique Neceſſity?

Turne back to ſect. 2. and ſee my Aniadverſ. upon the Rem: of the Army, 20. *Nov:* 1648. p. 4. 5. 6. 7.

The Parliam: thought it not reaſonable the King ſhould be ſole Iudge of publick neceſſity in caſe of ſhip mony. Returne to ſect. 18. where I ſet downe 6. of their principles

2. This Principle (*Neceſſity*) is deſtructive to all Government, for as the Generall Officers urgeth *neceſſity* for acting againſt the commands and Perſons of his Superiours; and arrogates to be Judge of that Neceſſity, the Inferior may urge the ſame Neceſſity (in his judgment) to Act againſt the commands of his Generall. The Souldiers againſt their Officers: any other

20000.

20000. men in this Kingdome against this Army, and this Army (as against this Parliament) so against any other Representative or Government; and so *in infinitum.*

3. The Commons in Parliament are not accountable for the use of their trust to any but the House; being Trustees of the People not by delegation, but by translation: all the Power of the People being transferred to them for advising, Voting, and assenting (according to their judgments, not according to the judgments of those that sent them) for otherwise the parties Electing, and those Elected, differing in judgment, one might protest against what the other had done, and so make void all Acts of Parliament. But if their Acts were valid or void at the Electors judgments, yet were the Members onely accountable to them that sent them, not to strangers, and in no case to the Army; who are themselves but in subordinate trust to the Parliament for their defence.

The Commons have their Authority from the Writ of Election, though their election frō the People: See the Writ, *Crompton's* Iurisdict. of Courts, Tit: Parliament.

4. This violence upon the Members, is not only contrary to the Armies trust; but against their Covenant and Protestation: the breach whereof being a morrall evill cannot be made good by honest intentions and necessity.

The particulars of the said Generall Officers Answer, upon which this pretended necessity is grounded, are six: but we must first take notice what is said from the end of the second pag. to the end of the fifth, before we enter upon them: the sum is, *That by the indeavours of some Old Malignant Members, and by practises used in new Elections, there came in a floud of new Burgesses that either are Malignants or Neuters.* To this we say, what is done by the majority is the Act of the whole House; and what is done against the majority, is done against the whole House: nor was the ordinance for new Elections carried on by old Malignants; unlesse the major part of the House were alwaies such, and before the new Elections. It is not hard to shew that many of the Officers of the Army came in upon the last elections, and were chosen by those places where they are scarce known; upon what influence therefore they came in, let the World judge. And now for the said 6. particulars objected,

In all elections there were two Independents chosen for one of any other Principles; Independents were then Commissioners for the Great Seale, and delivered Writs to men of their own party, who had the advantage to keepe them and chuse their owne time to deliver them: and Souldiers (under colour of keeping the peace) became great Sticklers in elections.

The Army betrayed *Ireland* by their disobedience. They would neither go for *Ireland* themselves, nor suffer others to go, 1. Part. sect. 16. & 55. 57.

1. *The betraying of* Ireland *into the Enemies hands, by recalling the Lord* Lisle *from his command there, and putting the best part of the said Kingdome and where the Parliament had the strongest footing* (Munster) *into the hands of* Inchiquine *a Native Irish; who hath since Revolted from the Parliament, hath lately united with the Irish Rebels; and with them and* Ormond *for the King.* To this we say, the Lord *Inchiquine* came in and brought *Munster* to the Parliament, and preserved their Interest in *Ireland*, in all the heat of their Warres in *England*, when they had little other Interest there, and lesse meanes to relieve them; the Lord *Lysle* was not recalled from his Command there, but his Commission for Lord Lieutenant expiring, 15. *April*, 1647. on the 17. *April*, he hoysed sayle for *England*: after the Lord *Lysles* returne for *England*, the Lord *Inchiquine* did gallant service against the Rebels, tooke many strong holds from them, and won the Battle of *Knockenowes*, one of the greatest that ever was gotten of the Rebels. The House therefore approved of his behaviour until 3. *April*, 1648. when (the Army having led the way) the Lord *Inchiquine* (taking distast thereat) by way of imitation began to enter into Engagements and Remonstrances against the Parliament, (as it was then constituted) for which he made the Remonstrances, Engagements, and Declarations of the Army the Summer before, both the cause and precedent; as by the Printed Relation doth appear.

This Lord went late, carried over 160000 l. for which he hath not yet accounted, began a quarrell with *Inchiquin* and put him into discontent, and then returned. See the Irish Letters and Papers to the House in Print.

2. *Their endeavours to bring in the King upon His own Tearms, without satisfaction and security to the Kingdome*, viz. *upon His Message of the* 12. *of* May, 1647. *and to this end to Disband this Army before any peace made or assured.* To this we say, the House of Commons upon the first notice thereof, voted the said Engagement of the 12. of *May*, Treasonable; and by Ordinance, 17. *Decemb.* 1647. put an incapacity upon such Citizens as had any hand in it; which evidenceth, we were here in a right majority, as in other parts of their Paper they take the Votes of the House to prove us *a corrupt majority*. The charge here lying in generall and not fixed upon any particular. Concerning *Disbanding the Army*; we say, the House voted 8 *Regiments of Foot*, 4. *of Horse and* 1. *of Dragoones, to be sent out of the Army for* Ireland; and resolved to keep 10000. *Foot*, and 5400. *Horse under the Command of the*

the Lord Fairfax *for defence of* England. This was, 1. For relieving *Ireland*. 2. For easing the heavy pressures of the poor People in *England*. And 3. an honourable employment for the Forces of the Army, to prevent such high distempers as have since ensued.

3. *That they endeavoured to protect the* 11: *Impeached Members from justice, and with them to raise a new Warre.* To this we say we gave them no other protection than the Lawes allowed them. For the mispending 200000 l. designed for *Ireland*: we say, that 80000 l thereof was paid to *Nicholas Loftus*, and others, for service of *Ireland*, and above 50000 l. to the Treasurers at Warre for the Army; which may more reasonably be said to be mis-imployed (because the Army had an established pay another way) than what the Reformado Officers and Souldiers (who obeyed the Orders of the House for Disbanding) received; who nevertheless pressed upon the House the more earnestly for their Arrears, after the Declarations and Remonstrances published by the Army for paying the Arreares of all the Souldiers of *England*.

See my 1. part sect. 16. 17. 18 and my said animadversions pag. 2. neither were they legally impeached, See *Anducreni*, or twelve arduous doubts written in defence of the expulsed Memb: and the said Members Ans. to the Armies Charge.

4. *Their countenancing, abetting, and partaking with the Tumult of Apprentices, and others against both Houses of Parliament.* To this we say, that we wonder they should urge the force offered to the House then (which they declared, *horrid and treasonable*) to justify the violence acted upon the House by themselves, of a much higher nature. This is a mere fiction of the Penmans, which we do every one of us for our selves respectively deny.

There was a close Inquisition of Godly Citizens purposely chosen to examine this Tumult; which proceded illegally, and used so much foule play as to accuse men upon characters of their cloaths & persons; yet malice it selfe could find nothing. See my 1. part. sect. 45. 46. to sect. 54. Return to sect. 2. & 5.

5. *The holding correspondency, ingaging, and assisting the tumultuous Petitioners last Spring, the rebellious Insurrections in Kent, the Revolted Ships, Prince of* Wales, *with the Scots Army*: We doe every one of us for our selves respectively deny these.

6. *That when the Army was dispersed and engaged in severall parts, &c. and many faithfull Members employed abroad upon publique services; and others through Malignant Tumults about this City, could not with safety attend the House, Then the corrupt and Apostating Party taking advantage of these distractions which themselves had caused: First, recalled in those Members, &c. Then they recall'd those Votes for Non-Addresses, and voted a Personall Treaty.* To this we say, that if the proceedings of the Treaty were surreptitiously

titiouſly gotten in a thin Houſe, why do they then complain in other parts of their Paper, *That the majority of the Houſe is corrupt, and formed to ſerve the Kings corrupt Intereſt?* why did they force from the Houſe above 200. Members at once; the Counties never expreſſed ſo high contempt of the Parliament, untill the like had been firſt done by the Armies quartering upon them.

Return to ſect. 2. and 5. there ſee the true grounds of theſe Tumults.

And now let us come to that Vote of the Houſe, 5. *Dec.* 1648. *That the Kings anſwer to the Propoſitions of both houſes are a ground to proceed upon to a ſettlement of Peace*: of which they ſay, *That though they advanced hither to attend providence for opening ſome way to avoid the preſent evils deſigned, and introduce the deſired good into the Kingdom, yet they ſaid nor acted nothing in relation to the Parliament, nor any Member thereof, untill by the Vote paſſed,* Decemb. 5. *they found the corrupt majority ſo reſolvedly bent to compleat their deſigne in bringing in the King.* Doe they call their threatning Declaration and Remonſtrance a ſaying nothing? and their marching up againſt the Houſe, contrary to the Order of the Houſe, a doing nothing in relation to the Parliament? But by theſe words it appears that this Vote, 5. *Decemb.* is the very point of that neceſſity they now relie upon to juſtifie their force upon the Houſe: For, before that paſſed, they ſay, *They acted nothing, &c.* we muſt now ſtate the difference betweene the Houſes Propoſitions, and the Kings Anſwers; and ſee whether the King did not grant all thoſe Propoſitions in which the maine ſecurity of the Kingdome reſteth.

See what uſe they make of providence in the 2. part of *Englands* new Chains.

See Mr. *Pryn's* ſaid Speech in the Houſe, 4: *Decemb.* 1648. more at large.

He granted the firſt Propoſition *for taking of all Declarations*, as was deſired.

And the third Propoſition *for the Militia* as was deſired.

He aſſented to the Propoſition for *Ireland*, limiting the time of the Parliaments diſpoſing Officers there to 20. years.

He conſented to ſuch Acts *for publique Debts and publique Uſes, as ſhould be preſented within 2. yeares, and incurred within that time.*

He granted the Propoſition *concerning Peers*, as was deſired.

He granted the *Diſpoſing Offices in England, to the Parliament for 20. years.*

He granted *the taking away the Court of Wards, having* 100000 li.

per

per ann. *in lieu thereof to be raiſed as the Parliament ſhould thinke fit.*

He granted *to Declare againſt the Marqueſſe of* Ormond's *power and proceedings after an agreement with the Parliament.*

The only difference therefore remained upon two Propoſitions.

1. *Delinquents.*
2. *The Church.*

For Delinquents, though he doth not grant all, his Majeſty conſented *they ſhall ſubmit to moderate Compoſitions, according to ſuch proportions as they and the two Houſes ſhould agree.*

He disabled them *to beare Office of publique Truſt, and removes them from the Kings, Queens, and Princes Court.*

3. For ſuch as the Houſes propounded *to proceed cappitally againſt*, He leaves them to a Legall Triall; and Declares, *He will not interpoſe to hinder it*: which ſatisfies the maine complaint of the Parliament, which was (in the beginning of the Warre) *That the King protected Delinquents from Juſtice.* And all that the Houſe deſired in the Propoſitions preſented to him at *Oxford, Febr.* 1642. was, *That his Majeſty would leave Delinquents to a Legall Triall and Judgment of Parliament.* But that his Majeſty ſhould joyne in an Act for taking away the Lives or Eſtates of any that have adhered to him (he truly profeſſeth) *He cannot with Juſtice and Honour agree thereto.*

4. Nor doe wee ſee how Delinquents (being left to the Law) can eſcape juſtice, the King having granted the 1. Proemiall Propoſition, and (ſo by a Law) acknowledged the Parliaments cauſe and War to be juſt.

For the Church. The Houſes propound the utter *aboliſhing of Archbiſhops, Biſhops, &c. The ſale of their Lands, that Reformation of Religion be ſetled by act of Parliament as both Houſes have, or ſhall agree.* The Kings Anſwer takes away Church-Government by Archbiſhops, Biſhops, &c. by taking away their Courts and Officers, and ſo far takes away their power of Ordination that it can never be revived againe but by Act of Parliament; ſo that Epiſcopacy is diveſted of any actuall being by the Law of the Land, and inſtead thereof the Presbyterian Government ſetled for three years by Law; which is for ſo long a time as the

Houses formerly in their Ordinances presented to Him at *Newcastle* did themselves think fit to settle it: For the Sale of Bishops Lands upon the Publique Faith; we say, That although the Purchasers might well have afforded to have given the same rates for their Purchases (which they now give) if they might have had them assured by Act of Parliament for 99. yeares, and such moderate Rents reserved as the King intimates in his Answer: yet (in His Answer) He expresseth a farther satisfaction to be given them; upon which we should have insisted, notwithstanding the said Vote.

Every cheating Saint of the Faction must have the publique Faith exactly kept, though he bought the Lands but at 2. or 3. yeares just value, and with such monies as he had formerly cheated the State off; when other men who have lost the best part of their Estates by and for the Parliament, for compensation whereof they have the Publique Faith engaged by Ordinances, are consumed by Taxes, and repayed with reproaches onely.

5. *Decemb.* 1648. We farther alleage, That the King having granted the rest of the Propositions, and so much in these 2. Delinquents, and the Church; the Nationall Covenant doth not oblige us to make Warre upon this point: nothing can make Presbytery (nor the Purchasers of Bishops Lands) more odious, nor endanger them more, than to make them the sole obstacle of peace; nor could any thing more work the King to comply with our desires herein than for us to draw a little nearer him.

The Considerations leading us to passe the said Vote, 5 *Dec.* 1648 come next to be considered:

1. *The saving of* Ireland.

2. *The Regaining the Revolted Navy and freedom of the Seas.*

3. *The support of the Ancient Government of the Kingdom.*

4. *The putting the people into a secure possession of their Laws and Liberties.*

5. *The avoiding such evill consequences as were apparently to follow a Breach with the King.*

As 1. the Deposing the King, if not the depriving him of life: whereupon floods of misery wil follow, & scandall to the Protestant Religion, which we (from our hearts) detest and abhorr: see the many Declarations of Parliament against it.

Returne to sect. 71.

2. The necessitating of the Prince to cast himself into the Arms of forreign Popish Princes, and embrace Popish Allyances for his succour.

3. It

3. It may beget a change of Government, and a laying aside of Monarchy here: and so a Breach with *Scotland*, and this kingdom (being the more rich) likely to be the Seate of the War.

4. The vast Debts of this Kingdom upon the Publique Faith will never be paid in Warre, but increased and multiplied: multitudes of Sufferers by, and for the Parliament like to be repayed onely with new sufferings, and every years Warre destroyes more Families, and makes more Malignants through discontenting pressures: untill at last the Souldier seeing no hope of pay, the People no hope of peace and ease, fall together into a generall and desperate tumultuousnesse; the power of the Sword apparently threatning a dissolution of Government both in Church and Common-wealth.

To that scandalous Objection, which saith, *The corrupt majority will not lend an Ear to admit a thought towards the laying down their own power, or rendring it back to the People from whom they received it.* We say, this Objection is unreasonable from men who endeavour to perpetuate an Army upon the Kingdome; nor is the continuance of this Parliament singly objected, But that they will not render it back to the People, *viz.* To a new Representative, invented and made by the Army, that is, We wil not render our power into the hands of the Army.

Another Objection is, *That whatsoever the King granted, He might plead Force to break it, and spoyl us by policy.* This Objection migh have Been made against all our Treaties; If there be any Force, it is from the Army, for spoyling us by policy. The Kings of this Land could never encroach upon our good Lawes, but by corrupt Iudges and Ministers, who though they could not abrogate the Law, made it speak against it self, and the intended good of the People; or else by the power of Courtiers, stopping the course of justice at the Councell Table, and in other Arbitrary Courts; both which are taken away by the Kings Concessions.

1. *That the Nomination of Judges and Officers be in the Parliament.*

2. *That the King make no new Parliament Lords for the future to Vote there.*

Another Objection is, *That they had intelligence, that had they*

been

been ſuffered to meet all in the Houſe once more, it was deſigned to have paſſed ſome higher reſolutions, to lay further foundations of a new quarrell, ſo as to carry therein the name and countenance of Parliamentary Authority together with the Kings, upon an acceptable pretence of Peace, to draw men in, and then to have adjourned the Parliament for along time, excluding all remedy in this caſe but by another War. To this we ſay, the Houſe immediately upon paſſing the Vote. 5. *December* Sent a Committee to the Generall to conferre with him and his officers, and keep a good correſpondency with them, to which, the Generall promiſed his readyneſſe; howſoever it was hindred afterwards. And then they ſeized upon one of the Commiſſioners appointed to Treat, affronted another, and left no way free for a Conference, which ſhewes they were reſolved to doe what they had deſigned.

For this you muſt take the faith of the miſty-brained Pen-man, who had this (as wel as many other groſſe) Lies by Revelation.

The Army had had the King in their power, & had the Parliament adjourened, the ſole power of the Kingd. had been left in the Army; which is a thing aymed at by them.

The laſt Obj.is, *That thoſe Members that are yet detained in Cuſtody, are either ſuch as have been formerly Impeached, and* (in part) *judged by the Houſe for Treaſon, and other Crimes, and never acquitted, and againſt whom they can, and very ſhortly will produce new matter of no leſſe crime; or elſe ſuch who have appeared moſt active and united in Councell with them: againſt whom alſo they are preparing, and ſhall ſhortly give matter of Particular Impeachment.* To this we ſay, that when it appears what thoſe crimes are, and what perſons are charged with them, we doubt not but they will ſufficiently acquit themſelves, if things may be legally carried in a judiciall way by competent Judges not preingaged. In the meane time we conclude, that Souldiers, whoſe advantages ariſe by War, are not fit to judge of the Peace of the Nation.

74 Declaraion by Mr. *walker* and Mr. *Prn.*

The 19. *Jan.* 1648. Mr. *Pryn*, and Mr. *Walker*, (two of the ſecured Members) publiſhed in Print their Declaration and Proteſtation, againſt the Actings and Proceedings of the Army and their Faction now remaining in the Houſe of Commons as followeth.

¶ *A*

¶ *A Declaration and Proteſtation of* VVill: Piyn, *and* Clem: Walker, *Eſquires; Members of the Houſe of Commons: Againſt the preſent Actings and Proceedings of the Generall, and Generall Councell of the Army, and their Faction now remaining and ſitting in the ſaid Houſe.*

VVHereas long ſince, for eaſe of the People, both Houſes in a full and free Parliament Voted the Disbanding of this Army: in oppoſition to which, ſome Great Officers of the ſaid Army, (to continue their rich commands) with ſome Members of the Houſe of Commons, (who dayly inrich themſelves by the troubles of the times) ſecretly mutinied the Army againſt the Parliament. And whereas, lately the farre major part of the Houſe of Commons, pitying the bleeding condition, and teares of the oppreſſed People, Voted, and entred into a Perſonall Treaty with the King: without which (by the Armies owne confeſſion in their Remonſtrance at Saint *Albons*, *p.* 64) there can be no Peace; which the Army interrupted by obtruding upon the Commons a Treaſonable Remonſtrance, 20. *November* 1648. tending to deſtroy the King, and his Poſterity, and wholly to ſubvert all Parliaments, Religion, Lawes, and Liberties for ever; whereby the Commons in Parliament found it abſolutely neceſſary to prevent ſuch pernitious innovaſions, by concluding a ſafe peace with his Majeſty; whereupon (after mature debate) the Houſe of Commons the 5. *December* 1648. Voted, *That the Kings Anſwer to the Propoſitions of both Houſes upon the Treaty, were a ground for the Houſes to proceed to the ſettlement of a ſafe and well grounded Peace:* Upon which, the Generall, and Councell of Warre, Wedneſday morning, 6 December 1648. Seized and Impriſoned 41. of the Members going to the Houſe of Commons to doe their duty, ſecluded above 160. other Members, beſides 40. or 50. Members who voluntarily withdrew themſelves to avoid their violence; leaving only their owne engaged Party of 40. or 50. Members ſitting, who now paſſe Acts of Parliament of the Houſe of Commons (as they call them) without the Lords; and comply with the ſaid Councell of War, to carry on the ſaid Remonſtrance: To which purpoſe this preſent remnant of the

Commons have unvoted in a thin Houſe, under the force of the Army, what was deliberately Voted in a full and free Houſe; whereas by their owne Ordinance paſſed upon the Tumult of Apprentices, 20 *Auguſt* 1647. to null, and make void *ab initio*, all Acts, Orders, Votes, &c. paſſed under the ſaid force: This remaining party ought not to ſit, act, nor take upon them the ſtyle of a Houſe, under ſo viſible, actuall, and horrid a force.

The premiſes conſidered, We, whoſe names are hereunto ſubſcribed, Members of the Houſe of Commons, doe declare and proteſt, that the ſaid Generall, Commiſſioned Officers, and Generall Councell of the Army, by the ſaid act of violence, upon the major part of the Houſe, which Legally and vertually is the whole Houſe, have waged War, and rebelled againſt the Parliament their Maſters, who raiſed them to defend the priviledges of Parliament, and the Kings Perſon and Authority, in defence of Religion, Lawes, and Liberties, and have thereby forfeited their Commiſſions, and have broken and diſ-continued this Parliament; ſo that untill this force be removed, puniſhed, the Honour of the Parliament and their wronged Members vindicated, and all the Members reſummoned, all the Votes, Orders, and Actings, Paſſed, and to be paſſed by this nominall Houſe of Commons, are and will be void, *ab initio*, and all ſuch as doe, or ſhall obey them, are and will be puniſhable, both by the Armies own judgment in their Remonſtrance, *Auguſt* 18. and by the Houſes Declaration, and the ſaid Ordinance, 20. *Auguſt* 1647.

We doe further Declare and proteſt againſt this preſent Houſe of Commons illegall Acts, Order, or Ordinance, for erecting a High Court of Juſtice, and uſurping a power without any Law or Preſident, to Trie, Depoſe, and bring to capitall puniſhment the King, and to Diſ-inherit his Poſterity, or any of them, and againſt the ſaid Generall Councell of Officers, aiding and abetting them therein, as highly impious againſt the Law of God, Nations, and the Proteſtant profeſſion, Traiterous againſt the *Stat.* of Treaſons, 25. *Edw.* 3. and againſt all our Lawes and our Statutes; perjurous and perfideous, againſt the Oathes of Allegiance, Supremacy, Nationall Covenant, and Proteſtation; and all the Parliaments Declarations and Remonſtrances held forth to the World; their Treaties and promiſes made to the *Scots* when they delivered

vered the Kings Person into our hands; against our promises made to the *Hollanders*, and other Nations, and against all the Professions, Declarations, Remonstrances, and Proposalls made by this Army, when they made their Addresses to the King at *New-market*, *Hampton Court*, and other places.

January 19. 1648. *William Pryn.*

Clem: Walker.

About this time the Generall Councell of Officers at *Whitehall*, ordered, *That two Petitions* (or mandates rather) *should be drawn, and presented to their House of Commons; One against Payment of Tythes; the other, for Repealing the Act for Banishment of the Iewes.* Here you see they shake hands with the Jewes, and crucifie Christ in his Ministers, as well as in his Anointed, the King.

75. The Comm: of Officers order 2. Petit: for the Com. House, 1 against Tiths, 2. against the Stat. for Banishing the Jews.

About this time Col: *Titchburn*, and some schismaticall Common-Councell-men, presented a Petition to the Supreme Authority the Commons in Parliament, demanding *Iustice against all grand and capitall Actors in the late Wars against the Parliament from the highest to the lowest: the Militia, Navy, and all places of power to be in faithfull hands*, (that is, in their owne Faction; all others being displaced under the generall notion of disaffected *to settle the Votes, That the supreme Authority is in the Commons in Parliament assembled.*) They complained, *That the Lord Mayor and some Aldermen denied to put their Petition to the Question at the Common-Councell, and departed the Court, with the Sergeant and Town-Clerk, That the Court afterwards passed it Nemine contradicente.* The Commons thanked the Petitioners (for the tender of their assistance) and Ordered, *That the Petition should be entred amongst the Acts of the Common-Councell, and avowed them for a Common Councell notwithstanding the departure of the Lord Mayor, &c.* And about four or five dayes after, the Commons Ordered * *That any six of the Common Councell, (upon emergent occasions) might send for the Lord Mayor to call a Common*

76. Col *Titchburn* Pet. and Complaint against the Lord Major and their Orders therupon. The like Petitions were invited from most Counties, where a dozen Schismaticks & two or three cloaks represented a whole County

* See a just & solemn Protest of the free Citizens of London, against the Ordinance, 17. Dec. 1647. disabling such as had any hand in the City Engage-ment to bear Offices.

Commons have unvoted in a thin House, under the force of the Army, what was deliberately Voted in a full and free House; whereas by their owne Ordinance passed upon the Tumult of Apprentices, 20 *August* 1647. to null, and make void *ab initio*, all Acts, Orders, Votes, &c. passed under the said force: This remaining party ought not to sit, act, nor take upon them the style of a House, under so visible, actuall, and horrid a force.

The premises considered, We, whose names are hereunto subscribed, Members of the House of Commons, doe declare and protest, that the said Generall, Commissioned Officers, and Generall Councell of the Army, by the said act of violence, upon the major part of the House, which Legally and vertually is the whole House, have waged War, and rebelled against the Parliament their Masters, who raised them to defend the priviledges of Parliament, and the Kings Person and Authority, in defence of Religion, Lawes, and Liberties, and have thereby forfeited their Commissions, and have broken and dis-continued this Parliament; so that untill this force be removed, punished, the Honour of the Parliament and their wronged Members vindicated, and all the Members resummoned, all the Votes, Orders, and Actings, Passed, and to be passed by this nominall House of Commons, are and will be void, *ab initio*, and all such as doe, or shall obey them, are and will be punishable, both by the Armies own judgment in their Remonstrance, *August* 18. and by the Houses Declaration, and the said Ordinance, 20. *August* 1647.

We doe further Declare and protest against this present House of Commons illegall Acts, Order, or Ordinance, for erecting a High Court of Justice, and usurping a power without any Law or President, to Trie, Depose, and bring to capitall punishment the King, and to Dis-inherit his Posterity, or any of them, and against the said Generall Councell of Officers, aiding and abetting them therein, as highly impious against the Law of God, Nations, and the Protestant profession, Traiterous against the *Stat.* of Treasons, 25. *Edw.* 3. and against all our Lawes and our Statutes; perjurous and perfideous, against the Oathes of Allegiance, Supremacy, Nationall Covenant, and Protestation; and all the Parliaments Declarations and Remonstrances held forth to the World; their Treaties and promises made to the *Scots* when they delivered

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mon Councell, & in case of default call it themselves, & any 40 of them to have power to Act as a Common councell without the L. Mayor, any thing in their Charter to the contrary notwithstanding. Thus you see the Votes of this supreme thing (the House of Commons) are now become the onely Lawes and reasons of all our actions.

77 An Act passed for adjournment of part of *Hilary Term*, and the Lords concurrence rejected.

The 16. *Jan.* 1648. was passed an Act of the Commons for *adjournment of Hillary Term for forty dayes.* This was in order to the Kings Triall; but the Commissioners of the Great Seale declared, *That they could not agree to seale Writs of Adjournment without the Lords concurrence,* (the assent of one Lord being requisite) their same Lordships sent down to the Commons to offer their readinesse *to joyn therein.* But the Commons having formerly Voted, *The Supreme Power to be in themselves as the Peoples Representative, and that the Commons in every Committee should be empowred to Act without the Lords.* The Question was put, *Whether the House would concur with the Lords herein?* which passed in the *Negative:* so the Lords were not owned. Afterwards they ordered *that the Commoners (Commissioners for the Great Seale) should issue forth Writs without the Lords.*

78 *The Agreement of the People* presented to the House of Commons by the Officers of the Army. *Diurnall* from *Jan.* 15. to 22. 1648. nu. 286.

20. *January*, Leiut. Generall *Hammond*, with many Officers of the Army, presented to the Commons from the Generall and Councell of the Army, a thing like a *Petition*, with *The Agreement of the People*, annexed. Mr. Speaker *thanking them*, desired them *to return the hearty thanks of the House to the Generall and all his Army for their gallant services to the Nation; and desired the Petition and Agreement should be forthwith printed, to shew the good affection between the Parliament and Army.* I cannot blame them to brag of this affection, being the best string to their bowe. About this time some wel meaning man (that durst think truth in private) published his thoughts under the Title of [*Six serious Quaries, concerning the Kings tryall, by the High Court of Justice,*]

79 6. Quæries concerning the Kings Triall by the new High Court of Justice.

1. Whether a King of three distinct Kingdoms can be condemned and executed by one Kingdom alone, without the concurrent consent, or against the judgment of the other two?

2. Whether if the *King* be indicted or arraigned of *high treason*, he ought not to be tried by his Peers? & whether those who are now nominated to trie him, or any others in the Kingdome, be his Peers?

3. Whether if the King be triable in any Court, for any Treason a-

gainst

gainst the Kingdom, He ought to be tried only in full Parliament in the most solemn and publique manner, before all the Members of both Houses, in as honourable a way, as *Strafford* was, in the beginning of this Parliament? And whether He ought not to have liberty and time to make his full defence, and the benefit of his learned councel, in all matters of Law, that may arise, in, or about his Triall, or in demurring to the jurisdiction of this illegall new Court, as *Strafford* and *Canterbury* had?

4. Whether one eight part only of the Members of the Commons House, meeting in the House, under the Armies force, when all the rest of the Members are forcibly restrained, secluded, or scared away by the armies violence, and representing not above one eight part of the Counties, Cities, and Boroughs of the Kingdom, without the consent and against the Vote of the majority of the Members, excluded and chased away, and of the House of Peers, by any pretext of authority, Law, or Justice, can erect a New great Court of Justice to Trie the King, in whom all the rest of the Members, Peers and Kingdom (being far the major part) have a greater interest then they? Whether such an High Court can be erected without an act of Parl. or at least an Ordinance of both houses, and a Commission under the Great Seal of *England*? and if not, whether this can be properly called a Court of Justice? and whether it be superiour or inferiour to those who erected it; who neither cannot or dare not tri and condemn the King in the Commons house; though now they style it, *the Supreme Authority of the Kingdom*: and whether all who shall sit as Judges, or act as Officers in it, towards the Deposing or taking away the Kings life, be not really guilty of High Treason, and all those who were aiding or assenting to the erection thereof in such an irregular manner, by the Lawes and Statutes of this Realme?

5. Whether those who are professed Enemies to the King, and by their Remonstrances, Speeches and actions, professe they desire his bloud and seek his life, can either in Law or Conscience be reputed competent Judges to trie him for his life? It being a just exception to any Jury-man, who is to trie the basest or poorest Felon, and a legall challence for which he must be withdrawn; that he is a professed Enemy and prosecutor who seeks his life, and therefore no lawful nor indifferent Trier of him for it.

6. Whether the triall and taking away of the Kings Life by such an illegall and arbitrary High Court of Justice, as this, will

not prove a most dangerous inlet, to the absoluteſt tyranny and bloudieſt butchery ever yet heard of, or practiſed in this, or any other Nation? and a ready way to teach us, how to chop off one anothers heads, till we are all deſtroyed? For if they may take away the Kings head in it without and againſt all rules of Law: then by the ſame of ſtronger reaſon, they may in like manner chop off the heads of any Nobleman, Peer, Member, Gentleman, or inferiour Subject for any imaginary treaſon or offence, and confiſcate their Eſtates: there being no aſſurance they will ſtop at the Kings: And if thoſe who are confeſſed to be the majority of the Commons Houſe, & therefore excluded, or the Pr. of *Wales* next Heir to the Crown, or the Malignant party, or any other Faction whatſoever which may ariſe, ſhould at any time hereafter get the upper hand by the Peoples generall adhering to them, or any diviſions of the Army, or by any meanes Gods providence ſhould adminiſter (who hath thouſands of wayes to pull downe the proudeſt Tyrants and diſſipate the ſtrongeſt Armies in a moment, as he did *Senacheribs*, the Midianites, the Moabites, and Ammonites, with ſundry others recorded in ſacred Writ, and prophane Stories, and the Scots Army but few moneths ſince) they may by like authority and preſident erect the like new Court, to cut off the heads of all the Members now ſitting, and of the preſent Generall Councell of the Army, and all the Commiſſioners acting in this New Court; and ſo fall a murthering and butchering one another, till we are all deſtroyed one by another, and made a ſpectacle of moſt unnaturall tyranny and cruelty to the whole World, Angels, and Men, and a prey to our common Enemies. Upon which conſideration, let every man now ſeriouſly lay his hand upon his own breaſt, and ſadly conſider, what the bloudy tragicall iſſue of this new *Phaleris* Bull, may prove to him or his: and whether ever Free-borne Engliſh-man (eſpecially of Nobleſt birth, and ampleſt Eſtate) be not deeply obliged in point of prudence and conſcience to uſe his utmoſt endeavour with hazard of life and eſtate, to prevent the erection of ſuch an exorbitant and illegall Authority, in the very riſe and foundation, ere it be over-late; and not patiently ſuffer a raſh inconſiderate number of Hot-ſpurs (of meane condition and broken deſperate fortunes for the moſt part) out of private malice,

The Anſwer of the Generall Councell of Officers, touching the ſeclu. ded and ſecu. red Members, Jan. 3. 1648.

malice, feare, or designes to secure and inrich themselves by the ruines of others of better fortunes and quality; to set up such a new shambles to butcher and quarter the King, Nobles, Parliament-ment, Gentlemen, and persons of all conditions, as was never heard of among Pagans or Christians, from the Creation to this present, and will no way suit with our Englsh soile, already over-much watred with Englsh bloud; and so deepely ingaged against all Arbitrary and Tirannicall usurpation and proceedings (especially capitall) in any hands whatsoever, which have cost us so much bloud and treasure, to oppose and fight against for seven years last past.

Saturday, *Jan.* 20. 1648. The new thing called *The High Court of Justice* sate: *Bradshaw* being President, who had the Mace and Sword carried before him, and 20. Gentlemen (forsooth) with Partisans for his Guard, under the command of Colonell *Fox* the Tinker. An *O yes* being made, and silence commanded: the said Act of the Commons for erecting the said Court was Read, and the Court called, there being about 70 of the Commissioners present. Then the King was brought to the Bar by Colonell *Hacker* with Halberdeers, the Mace of the Court conducting him to his Chaire within the Barre, where he sate. And then President *Bradshaw* said to the King, *Charls Stuart King of* England, *The Commons of* England *assembled in Parliament being sensible of the great calamities brought upon this Nation, and of the innocent bloud shed (which are referred to you as the Author of it) according to that duty which they owe to God, the Nation, and themselves, and according to that power and fundamentall trust reposed in them by the People; have constituted this High Court of Justice, before which you are now brought, and you are to heare your charge upon which the Court will proceed.*

80 The first daies Triall of his Majesty.

Prove this power & trust The whole Kingdome (in effect) deny it. So doe all our Law-books, & the practice of all Ages.

Solicitor *Cooke. My Lord, in behalfe of the Commons of* England, *and of all the People thereof, I doe accuse Charls Stuart here present of High Treason and Misdemeanours and I doe in the name of the Commons of* England *desire the Charge may be read unto him.*

The King. *Hold a little.*

President. *Sir the Court Commands the Charge to be read; afterwards you may be heard.* The Charge was read, as followeth:

¶ *The*

¶ *The Charge against King* Charls *the First*, *January* 20. 1648

The Charge read.

THat the said CHARLES STVART, being admitted King of *England*, and therein trusted with a *limited Power*, to Governe by, and according to the Lawes of the Land, and not otherwise: And by his Trust, Oath, and Office, being obliged to use the power committed to him, *For the good and benefit of the People*, and for the preservation of their Rights and Liberties; yet nevertheless, out of a wicked Designe, to erect and uphold in himselfe an unlimited and tyrannicall power, to rule according to his wil, and to overthrow the Rights and Liberties of the People; Yea, to take away, and make void the foundations thereof, and of all redresse and remedy of mis-government, which by the fundamentall Constitutions of this Kingdome, were reserved on the peoples behalfe, in the right and power of frequent and successive Parliaments, or Nationall meetings in Councell; He, the said *Charles Stuart*, for accomplishment of such his Designes, and for the protecting of himselfe and his adhearents, in his and their *wicked Practices* to the same ends, hath traiterously and malitiously levied War against the present Parliament, and the People therein Represented.

Particularly, upon or about the thirtieth day of *Iune*, in the yeare of our Lord, one thousand six hundred forty and two, at *Beverly*, in the County of *Yorke*: and upon, or about the thirtieth day of *Iuly*, in the yeare aforesaid, in the County of the City of *Yorke*: and upon, or about the twenty fourth day of *August*, in the same yeare, at the County of the Towne of *Nottingham* (when, and where he set up his standard of Warre:) and also on, or about the twenty third day of *October*, in the same yeare, at *Edgehill*, and *Keinton-field*, in the County of *Warwicke*: and upon, or about the thirtieth day of *November*, in the same yeare, at *Brainceford*, in the County of *Middlesex*: and upon, or about the thirtieth day of *August*, in the yeare of our Lord, one thousand six hundred forty and three, at *Cavesham-bridge*, neere *Reading*, in the County of *Berks*: and upon, or about the thirtieth day of *October*, in the yeare last mentioned, at, or neere the City of *Glouceſter*:

ceſter: And upon, or about the thirtieth day of *November*, in the yeare laſt mentioned, at *Newbery*, in the County of *Berks*: and upon, or about the one and thirtieth day of *July*, in the yeare of our Lord, one thouſand ſix hundred forty and foure, at *Croperdy-bridge*, in the County of *Oxon*: and upon, or about the thirtieth day of *September*, in the yeare laſt mentioned, at *Bodmin*, and other places neer adjacent, in the County of *Cornwall*: And upon, or about the thirtieth day of *November*, in the yeare laſt mentioned, at *Newbury* aforeſaid: and upon, or about the eighth day of *June*, in the yeare of our Lord, one thouſand ſix hundred forty and five, at the Towne of *Leiceſter*: And alſo, upon the fourteenth day of the ſame moneth, in the ſame yeare, at *Naſeby-field*, in the County of *Northampton*. At which ſeverall times and places, or moſt of them, and at many other places in this Land, at ſeverall other times, within the years aforementioned: And in the yeare of our Lord, one thouſand ſix hundred forty and ſix, He the ſaid *Charles Stuart*, hath cauſed and procured many thouſands of the free people of the *Nation* to be ſlaine; and by Diviſions, Parties, and Inſurrections, within this Land, by invaſions from forraigne parts, endeavoured and procured by Him, and by many other evill wayes and means. He the ſaid *Charles Stuart*, hath not only maintained and carried on the ſaid War, both by Land and Sea, during the years before mentioned; but alſo hath renued, or cauſed to be renewed, the ſaid War againſt the Parliament, and good people of this Nation, in this preſent yeare, one thouſand ſix hundred forty and eight, in the Counties of *Kent*, *Eſſex*, *Surrey*, *Suſſex*, *Middleſex*, and many other Counties and places in *England* and *Wales*, and alſo by Sea; And particularly, He the Said *Charles Stuart*, hath for that purpoſe, given Commiſſions to his Sonne, the Prince, and others; whereby, beſides multitudes of other perſons, many ſuch, as were by the Parliament intruſted and imployed, for the ſafety of the Nation; being by Him or his Agents, corrupted; to the betraying of their Truſt, and Revolting from the Parliament, have had entertainement and Commiſſion, for the continuing and renewing of War and Hoſtility, againſt the ſaid Parliament and People, as aforeſaid. By which cruell and unnaturall Warres by Him, the ſaid *Charles Stuart*, levied, continued, and renewed, as

aforesaid, much Innocent blood of the Free people of this Nation hath been spilt; many Families have been undone, the Publique Treasury wasted and exhausted, Trade obstructed, and miserably decayed; vast expence and dammage to the Nation incurred, and many parts of the Land spoyled, some of them even to desolation.

And for further prosecution of His said evill Designes, He, the said *Charles Stuart*, doth still continue his Commissions to the said Prince, and other Rebels and Revolters, both English and Foraigners; and to the Earle of *Ormond*, and to the Irish Rebels and Revolters, associated with him; from whom further Invasions upon this Land are threatned, upon the procurement, and on the behalf of the said *Charles Stuart*.

All which wicked Designes, Warres, and evill practises of Him, the said *Charles Stuart*, have been, and are carried on, for the advancing and upholding of the Personall Interest of Will and power and pretended Prerogative to himselfe and his Family, against the publique Interest, Common Right, Liberty, Justice, and Peace of the People of this Nation, by, and for whom He was entrusted, as aforesaid.

By all which it appeareth, that He, the said *Charls Stuart* hath been, and is the Occasioner, Author, and Contriver of the said unnaturall, cruell, and bloudy Warres, and therein guilty of all the treasons, murthers, rapines, burnings, spoils, desolations, damage and mischiefe to this Nation, acted or committed in the said Warres, or occasioned thereby.

And the said *John Cook*, by Protestation (saving on the behalfe of the People of *England*, the liberty of Exhibiting at any time hereafter, any other Charge against the said *Charls Stuart*; and also of replying to the Answers which the said *Charls Stuart* shall make to the premises, or any of them, or any other Charge that shall be so exhibited) doth for the said treason & crimes, on the behalf of the said People of *England*, Impeach the said *Charls Stuart* as a Tyrant, Traytor, Murtherer, and a publique and implacable Enemy to the Comman-wealth of *England*: And pray, That the said *Charls Stuart*, King of *England*, may be put to answer all & every the premises, That such proceedings, examinations, Trials, Sentence, & Judgement may be thereupon had, or as shall be agreeable to Justice,

The

The King ſmiled often during the reading of the Charge, eſpecially at theſe words, *Tyrant, Traytor, Murderer, and publique Enemy of the Common-wealth.*

Preſident. *Sir, you have now heard your Charge, you find that in the cloſe of it, it is prayed to the Court in the behalf of the Commons of* England *that you anſwer to your Charge, which the Court expects.*

King. *I would know by what power I am called hither? I was not long agoe in the* Iſle of Wight; *how I came there is a longer ſtory than I think fit at this time for Me to ſpeake: But there I entered into a Treaty with both Houſes of Parliament with as much faith as is poſſible to be had of any People in the world; I Treated there with a number of Honourable Lords and Gentlemen, and treated honeſtly and uprightly, I cannot ſay but they did very nobly with Me; We were upon a concluſion of the Treaty. Now I would know by what lawfull Authority* (there are many unlawfull Authorities, Thieves and Robbers on the High-way) *I was brought from thence and carried from place to place?* (and I know not what) *and when I know by what lawfull Authority, I ſhall Anſwer. Remember I am your King, your lawfull King, and what ſinnes you bring upon your owne heads, and the judgment of God upon this Land, think well upon it, think well upon it I ſay before you go on from one ſinne to a greater; therefore let me know by what lawful Authority I am ſeated here: and I ſhall not be unwilling to Anſwer. In the meane time I ſhall not betray my Truſt: I have a truſt committed to Me by God by old and lawfull deſcent; I will not betray to Anſwer to a new unlawful Authority.*

Bradſhaw Preſ. *If you had been pleaſed to have obſerved what was hinted to you by the court at your firſt coming hither, you would have knowne by what authority: which authority requires you in the name of the People of* England, *of whom you are Elected* KING, *to anſwer them.*

King. *I deny that.*

Bradſh: *If you acknowledge not the Authority of the Court, they muſt proceed.*

King. *I doe tell them ſo,* England *was never an Elective Kingdome, but an Hereditary Kingdome for neer theſe thouſand yeares: Therfore let Me know by what lawfull authority I am called*

hither; I doe stand more for the Liberty of my people then any here that come to be my pretended Iudges: and therefore let me know by what lawfull Authority and I will Answer, otherwise I will not Answer.

Bradsh. *Sir, How really you have managed your trust is known: your way of Answer is to interrogate the Court, which beseemes not you in this condition; you have been told of it twice or thrice.*

King. *Here is Lieut. Colonell* Cobbet, *aske him, if he did not bring me from the Isle of* Wight *by force? I doe not come here as submitting to the Court; I will stand as much for the Priviledges of the House of Commons, rightly understood, as any man here whatsoever, I see no House of Lords here that may constitute a Parliament, and (the King to) should have been.* Is this the bringing the King to his Parliament? Is this the bringing an end to the Treaty on the publick Faith? *Let me see a Lawfull Authority warrented by the Word of God, the Scriptures, or by the Constitution of the Kingdome. I will not betray my Trust, nor the Liberties of the People; I am sworne to keepe the peace by that duty I owe to God, and my Country; and I will doe it to the last breath in my body. As it is a sin to withstand Lawfull Authority, so it is to submit to a Tyrannicall, or any otherwise unlawfull Authority.*

Bradsh. *The Court expects your finall Answer, and will adjourne till Monday next; we are satisfied with our Authority that are your Judges, and it is upon Gods Authority, and the Kingdomes; and that peace you speake of will be kept in doing justice, and that's our present worke.* So the Court adjourned, and the King was conducted back; they had so contrived it, that divers Schismaticall Soldiers, and fellowes were placed round about the Court, to cry *Iustice, Iustice,* when the King was remanded, thinking all the rest of the People would have bleated to the same tune; but they (almost) all cried *God blesse him*, and were (some of them) well cudgelled by the Souldiers for not saying their Prayers handsomely after the mode of the Army; one barbarous soldier (it is confidently reported) spat in the Kings face as he bauled for *Iustice*: The King only saying, *My Saviour suffered more for my sake*, wiped it off with his Handkerchief; yet the Court took no notice of this affront, so far was his Majesty already fore-judged and condemned to sufferings.

Brutish.

Note.

Whether this were the first day, or afterwards, I Know not.

Munday

Munday *Ianuary* 22. The KING was brought againe to his Triall. The second dayes Tryal of His Majesty.

Solicitour *Cooke. May it please your Lordship, I did at the last Court in behalfe of the Commons of England, exhibite, and give in to this Court a charge of High Treason, and other High Crimes against the Prisoner at the Bar: whereof I do accuse him in the name of the People of* England, *and the Charge was read unto him, and his Answer required: My Lord, he was not then pleased to give an Answer, but instead of Answering did dispute the Authority of this High Court; My humble motion to this High Court in behalfe of the Kingdome of* England *is, that the Prisoner may be directed to make a positive Answer either by way of Confession, or Negation: which, if He shall refuse to doe, that the matter of Charge may be taken* pro Confesso, *and the Court may proceed according to Iustice.*

Bradsh. *Sir, You may remember at the last Court you were told the occasion of your being brought hither, and you heard a Charge read against you, &c. You heare likewise what was prayed in behalfe of the People, That you should give an Answer to that Charge: You were then pleased to make some Scruples concerning the Authority of this Court, and knew not by what Authority you were brought hither: You did divers times propound your Questions, and were as often answered, That it was by Authority of the Commons of* England *assembled in Parliament, that did thinke fit to call You to account for those High and Cappitall Misdemeanours, wherewith You were then Charged. Since that the Court hath taken into consideration what you then said, they are fully satisfyed with their own Authority, and they hold it fit you should stand satisfied therewith too: and they do require that you do give a positive & particuler answer to this Charge exhibited against You: they expect you should either confesse or deny. If you deny it is offered in the behalfe of the Kingdome to be made good against you, their authority they doe avow to the whole World, that the whole Kingdome are to rest satisfied therein, and you are to rest satisfied in it, and therefore you are to give a Positive Answer.*

Without any Law, President, rationall debate, or Arguments to prove it: Oh brutish Tyranny:

King. *When I was here last, its true, I made that Question; and truly, if it were only my own particular case, I would have satisfied My selfe with the protestation I made here the last time, against the*

Legality of this Court, and that a King cannot be Tried by any Superiour Jurisdiction upon Earth: but it is not My case alone, it is the Freedome, and the Liberties of the People of England, *and (doe you pretend what you will) I stand more for their Liberties: for if Power without Law may make Lawes, nay, alter the Fundamentall Lawes of the Kingdome, I do not know what Subject he is in* England *that can be sure of his Life, or any thing that he calls his own. Therefore, when I came hither, I did expect particular Reasons to know by what Law, what Authority, you proceed against me here? and therefore I am a little to seek what to say to you in this Particular, because the Affirmative is to be proved, the Negative (often) is very hard to doe. I shall tell you my Reasons as short as I can. All proceedings against any man whatsoever* ——

Bradsh. *Sir, I must interrupt You; what You doe is not agreeable to the proceedings of any Court of Justice: You are about to enter into Argument and Dispute concerning the Authority of this Court, before whom You appear as a Prisoner, and are Charged as a High Delinquent; You may not Dispute the Authority of this Court, nor will any Court give way unto it, You are to submit to it, &c.*

False.

King. *Under favour, I doe plead for the Liberty of the People of* England *more then you doe; and therefore, if I should impose a beleefe upon any Man without Reasons given, it were unreasonable* ——

Oh Brutish Asinine Kingdome, to be Governed by an upstart Authority without use of Reason.

Bradsh. *Sir I must interupt You, You may not be permitted, You speak of Law and Reason, and there is both against You. Sir, The Vote of the Commons of* England *Assembled in Parliament, is the reason of the Kingdom, and they are those that have given You that Law, according to which you should have Ruled and Raigned: Sir, It will be taken notice of, that you stand in contempt of the Court, and Your contempt will be recorded accordingly.*

King. *I doe not know how a King can be a Delinquent, but by all Laws that ever I heard, all men may put in Demurrers against any proceeding as Illegall: and I doe demand that, if you deny that, you deny Reason.*

Over-rule a Demurrer without Argument: If a man may not Demurre to the Iurisdiction of any Court, that Court may enlarge its bounds, and become a Corporation of Tyrants.

Bradsh. *Sir, Neither You, nor any Man are permitted to Dispute*

that

that Point, You are concluded; You may not demurre to the Jurisdiction of the Court, if You doe, I must let You know, that they overrule your demurrer, they sit here by the Authority of the Commons of England; *and all Your Predecessours and You, are responsible to them.*

King. *I deny that, shew me one President.*

Bradsh. *Sir, You ought not to interrupt while the Court is speaking to you: this point is not to be debated by you, if you offer it by way of Demurrer, to the Jurisdiction of the Court, they have considered of their Iurisdiction, they do affirm their own Jurisdiction.*

King. *I say Sir, by your favour, That the Commons of* England *were never a Court of Iudicature, I would know how they came to be so?*

Bradsh. *Sir, you are not to be permitted to go on in that Speech, and these discourses.*

Then the Clerke of the Court read, as followeth:

Charles Stuart, *King of* England, *you have been accused in the behalfe of the People of* England, *of High Treason, and other high Crimes, the Court hath determined that you ought to answer the same?*

King. *I will Answer the same so soon as I know by what Authority you doe this?*

Bradsh. *If this be all that you will say, then Gentlemen, you that brought the Prisoner hither, take charg of Him back again.*

King. *I doe require that I may give My Reasons why I did not Answer, and give Me time for that.*

Bradsh: *Sir, 'Tis not for Prisoners to require.*

King. *Prisoners! Sir, I am not an ordinary Prisoner.*

Bradsh: *The Court have affirmed their Iurisdiction, if You will not Answer, We shall give order to record your default.*

King. *You never heard My Reasons yet.*

Bradsh. *Sir, Your Reasons are not to be heard against the highest jurisdiction.*

Reasons are not to be heard against a remaining faction of the Commons of *England.*

King. *Shew Me that Iurisdiction where Reason is not to be heard?*

Bradsh: *Sir, We shew it you here, the Commons of* England, *and the next time you are brought You will know more of the pleasures of the Court, and it may be, their finall Determination.*

King

King. *Shew Me where over the House of Commons Was a Court of Judicature of that kind.*

Bradsh. *Sergeant, take away the prisoner.*

King. *Well Sir, Remember that the King is not suffered to give in his Reasons, for the Liberty and Freedome of all his Subjects.*

Bradsh. *Sir, You are not to have liberty to use this language, how great a Friend you have been to the Lawes and Liberties of the People, let all England and the World Iudge.*

King. *Sir, Under favour, it was the Liberty, Freedom, and Lawes of the Subject that ever I took——defended Myselfe with Armes, I never tooke up Armes against the People, but for the Lawes.*

Bradsh. *The command of the Court must be obeyed, no Answer will be given to the Charge.*

So the King was guarded forth to Sir *Robert Cottens*, and the Court adjourned to the Painted Chamber, Tuesday twelve a clock.

82 The 3d. daies Triall of His Majesty.

Tuesday, *Ianuary* 23. The Court sate againe, seventy three Commissioners present.

The King brought into the Court, sits downe.

Solicit: Cooke. *May it please your Lordship my Lord President, This is now the third time that by the great grace and favour of the Court, the Prisoner hath been brought to the Barre, before any Issue joyned in this Cause. My Lord, I did at the first Court exhibite a Charge against him, containing the highest Treason that ever was wrought on the Theater of* England, that the King of *England* trusted to keep the Law, that had taken an Oath so to doe, that had Tribute paid Him for that end, should be guilty of a wicked Designe to subvert and destroy our Lawes, and introduce an Arbitrary and Tyrannicall Government in defiance of the Parliament and their Authority; set up His Standard for Warre, against his Parliament and People: *And I did humbly, pray in behalfe of the People of* England, that he may speedily be required to make an Answer to the Charge; *but, my Lord, instead of making any Answer. He did then dispute the Authority of this High Court; your Lordship was pleased to give him a further day to put in his Answer, which day being yesterday; I did humbly move,* That He might be required to give a direct and positive Answer, either by denying, or confessing of it; *But, my Lord, he was then pleased*

sed to demur to the jurisdiction of the Court, which the Court did then overrule, and command him to give a direct and positive Answer: My Lord, besides this great delay of Justice, I shall now humbly move your Lordship for speedy Judgment against Him; I might presse your Lordship upon the whole, That according to the known rules of the Lawes of the Land, that if a Prisoner shall stand contumacious in contempt, and shall not put in an Issuable Plea, guilty or not guilty of the Charge given against him, whereby he may come to a faire Tryall, that by an implicite Confession it may be taken pro confesso; *as it hath been done to those who have deserved more favour, then the Prisoner at the Barre hath done. But besides, my Lord, I shall humbly presse your Lordship upon the whole fact, That the House of Commons, the Supreme Authority and Iurisdiction of the Kingdome, they have declared,* That it is notorious that the matter of the Charge is true, *as it is in truth my Lord, as cleare as crystall, and as the Sun that shines at noon day; which if your Lordship and the Court be not satisfyed in, I have notwithstanding on the Peoples behalf, severall Witnesses to produce; and therefore I doe humbly pray, (and yet I doe confesse, it is not so much I, as the innocent blond that hath been shed. (the cry whereof is very great) for Iustice and Iudgment) and therefore I doe humbly pray, that speedy Indgement be pronounced against the Prisoner at the Bar.*

You see the remnant of the Ho: of Comm. had forejudged the King before they erected this new Court to sentence Him; and claime a Iurisdictions, as well as a Supreme authority.

Bradshaw. *Sir, You have heard what is moved by the Councell on behalfe of the Kingdome against you; you were told over & over againe,* That it was not for you, nor any other man to dispute the Iurisdiction of the Supreme and highest Authority of *England*, from which there is no appeal, and touching which there must be no dispute: *yet you did persist in such carriage as you gave no manner of obedience, nor did you acknowledge any Authority in them; nor the high Court that constituted this high Court of Justice. Sir, I must let you know from the Court that* they are very sensible of these delayes of Yours, and that they ought not (being thus Authorized by the Supreme Court of *England*) be thus trifled withall, and that they might in Iustice, and according to the rules of Iustice, take advantage of these delayes, and proceed to pronounce Iudgement against you, *yet nevertheless they are pleased to give direction, and on their behalfe, I doe require you,* That You make a positive Answer unto this Charge that is against you, in plaine Tearmes (*for*

Iuſtice knowes no reſpect of Perſons) you are to give your poſitive & finall Anſwer in plaine Engliſh, whether you be guilty or not guilty of theſe Treaſons laid to your charge.

King. *When I was here Yeſterday, I did deſire* to ſpeak for the Liberties of the People of *England*, I was interrupted: *I deſire to know yet*, whether I may ſpeak freely or not?

Brad. *Sir, You have had the reſolution of the Court, upon the like Queſtion the laſt day, and you were told*, that having ſuch a Charge of ſo high a nature againſt you, your work was, that you ought to acknowledg the jurisdiction of the Court, & to anſwer to your Charg; *when you have once Anſwered, you ſhall be heard at large, make the beſt defence You can; But Sir, I muſt let You know from the Court*, (*as their Commands*) That you are not to be permitted to Iſſue out into any other diſcourſes till ſuch time as you have given a poſitive Anſwer concerning the matter charged upon you.

King. *For the Charge I value it not a Ruſh*, it is the Liberty of the People of England *that I ſtand for: for Me to* acknowledge a new Court *that I never heard of before, I that am your K I N G, that ſhould be an* example *to all the People of* England, *to* uphold Iuſtice, to maintaine the old Lawes; *Indeed, I doe not know how to doe it: you ſpoke well the firſt day that* I *came here*, (*on Saturday*) of the Obligations that I had laid upon Me by God, to the maintenance of the Liberties of My People, *the ſame Obligation you ſpake of*, I doe acknowledge to God, that I owe to him, and to My People, to defend as much as in Me lies, the ancient Laws of the Kingdome; *therefore untill that I may know, that* this is not a. gainſt the fundamentall Lawes of the Kingdome, *I can put in no particular Anſwer, if you will give Me time I will ſhew you My Reaſons; and this* ——— here being interrupted, the King ſaid again, *By your favour, you ought not to interrupt Me, How I came here I know not; there's no Law for it* to make your King, your Priſoner; *I was in a Treaty upon the publique faith of the Kingdom, that was the known* —— *two Houſes of Parliament, that was the Repreſentative of the Kingdome, and when I had almoſt made an end of the Treaty, then I was hurried away & brought hither, & therefore-*

Whether theſe breaches and interruptions were made by *Bradſhaw*, or whether they are omiſſions

and expunctions of ſome materiall parts of the Kings Speech which this licenſed Pen-man durſt not ſet down; I know not: I heare much of the Kings argument is omitted, and much depraved, none but Licenced men being ſuffered to take Notes.

Bradſhaw.

Bradsh. *Sir, You must know the pleasure of the Court.*

King. *By your favour Sir* ———.

Bradsh. *Nay Sir, By your favour, You may not be permitted to fall into those Discourses; You appear as a Delinquent, You have not acknowledged the Authority of the Court, the Court craves it not of You, but once more they command You to give your positive answer. Clerk doe your Duty.*

King. *Duty Sir!*

The Clerk reades.

Charles Stuart, *King of* England, *You are accused in behalfe of the Commons of* England *of diverse High Crimes and Treasons; which Charge hath beene Read unto You, The Court now requires You to give Your positive and finall Answer, by way of Confession, or denyall of the charge.*

King. *Sir, I say againe to you, so that I may give satisfaction to the People of* England, *of the clearnesse of My proceedings, not by way of Answer, not in this way, but to satisfie them that I have done nothing against that Trust that hath been committed to Me, I would doe it; but to acknowledg a New Court against their Priviledges, to alter the Fundamentall Lawes of the Kingdom, Sir, you must excuse Me.*

Brad. *Sir, This is the third time that You have publickly disavowed this Court, and put an affront upon it: how far You have preserved the Priviledges of the People, Your Actions have spoken; but truly Sir, mens intentions ought to be known by their Actions, You have written your meaning in bloudy Characters throughout the whole Kingdome, but Sir. you understand the pleasure of the Court; Clark Record the default; and Gentlemen, you that tooke Charge of the Prisoner take him backe againe.* So the King went forth with His Guardes, and the Court Adjourned to the Painted Chamber: the Cryer (as at other times) crying, *God blesse the Kingdome of England.*

Saturday, 27 *Ian.* 1648. The Court sate againe in *Westminster-hall*, the President was in his Scarlet Robes, after him 67. Commissioners answered to their Names: The King came in in His wonted

83. The fourth & last dayes triall of His Majesty

ted posture with His Hat on, a Company of Souldiers and Schismaticks placed about the Court to cry for *Justice, Judgment*, and *Execution*, The People not daring to cry *God blesse Him*, for fear of being beaten again by the Souldiers.

Bradsh. *Gentlemen, it is well knowne to all, or most of you here present, that the Prisoner at the Barre hath been severall times convented, and brought before this Court, to make answer to a Charge of High Treason, and other High Crimes exhibited against Him in the Name of the People of* England; *to which Charge being required to Answer, He hath been so farre from obeying the Commands of the Court, by submitting to their Justice, as He began to take upon him Reasoning and Debate unto the Authority of the Court, And to the Highest Court that appointed them to Trye and to Iudge Him; but being over-ruled in that, and required to make His Answer, He still continued contumacious, and refused to submit to Answer. Hereupon the Court (that they may not be wanting to themselves, nor the Trust reposed in them, nor that any mans wilfulnesse prevent Justice) they have considered of the Charge, of the Contumacy, and of that Confession which in Law doth arise on that Contumacy; they have likewise considered the notiority of the Fact Charged upon this Prisoner; and upon the whole matter, they are resolved, and have agreed upon a Sentence to be pronounced against this Prisoner, but in respect He doth desire to be heard before the Sentence be Read, and Pronounced, the Court hath resolved to Hear Him: yet Sir, thus much I must tell You beforehand, (which You have been minded of at other Courts) that if that which You have to say, be to offer any debate concerning the Iurisdiction, You are not to be heard in it: You have offered it formerly, and you have strook at the Root*, that is, *the power and supreme Authority of the Commons of* England, *which this Court will not admit a Debate of: and which indeed is an irrational thing in them to doe, being a Court that act upon Authority derived from them. But Sir, if you have any thing to say in defence of Your self concerning the matter charged, the Court hath given me in Commands to heare you.*

King. *Since I see that you will not heare any thing of debate concerning that which I confesse I thought most materiall, for the peace of the Kingdom, and for the liberty of the Subject, I shall wave it; but only I must tel you, that this many a day all things have bin taken*

away

away from Me, but that, that I call dearer to Me than My life, which is My Conscience and Mine honour; and if I had a respect of my life, more than the peace of the Kingdome, and the liberty of the Subject, certainly I should have made a particular defence for my life, for by that at least wise, I might have delayed an ugly Sentence, which I believe will passe upon Me, therefore certainly Sir, as a man that hath some understanding, some knowledg of the world (if that my true zeal to My Country had not overborne the care that I have for My own preservation) I should have goae another way t o worke than that I have done: Now Sir, I conceive that a hasty Sentence once passed may sooner be repented of than recalled; and truly, the self-same desire that I have for the peace of the Kingdome and the liberty of the subject, more than My own particular ends, makes Me now at last desire, that I having something to say that concerns both, I desire before Sentence be given, that I may be heard in the Painted Chamber *before the Lords and Commons, this delay cannot be prejudiciall to you, whatsoever I say, if that I say no reason those that heare Me must be Judges, I cannot be Iudge of that that I have: if it be reason, and really for the welfare of the Kingdome, and the liberty of the Subject, I am sure its very well worth the hearing, therefore I doe conjure you, as you love that which you pretend (I hope its reall) the Liberty of the Subject, and peace of the kingdome, that you will grant Me this hearing before any Sentence passed; but if I cannot get this liberty, I doe protest that your faire shewes of Liberty and Peace are pure shewes, and that you will not hear your King.*

The President said, *This was a declining the Iurisdiction of the Court, and a delay:* Yet the Court withdrew for half an hower, advised upon it, and sate again.

Bradshaw said to the King, *That the Court had considered what He had moved, and of their owne Authority; the return from the Court is this,* That they have been too much delayed by you already, and they are Judges appointed by the highest Authority, and Judges are no more to delay, then they are to deny justice; and notwithstanding what You have offered, they are resolved to proceed to Sentence, and to Iudgment, that is their unanimous resolution.

The King pressed again and againe, that he might be heard by

the Lords and Commons in the *Painted Chamber*, with great earneſtneſſe, and was as often denied by *Bradſhaw*: at laſt, the King deſired that this Motion of His might be entered.

Bradſhaw began in a long Speech to declare the Grounds of the Sentence, much aggravating the Kings offences, and miſapplying both Law and Hiſtory to his preſent purpoſe: When *Bradſhaw* had done ſpeaking, the Clerk read the Sentence drawn up in Parchment to this effect:

84. The Sentence againſt His Majeſty.

THat whereas the Commons of England *in Parliament had appointed them an High Court of Iuſtice for the Trial of* Charles Stuart *K. of* England, *before whom He had been three times conuented; and at the firſt time a Charge of High Treaſon & other high crimes and miſdemeanors was read in behalf of the Kingdom of* England, *&c.* * *Which Charge being read unto Him as aforeſaid, He the ſaid* Charls Stuart *was required to give His Anſwer; but He refuſed ſo to doe: and ſo expreſſed the ſeverall paſſages at His Tryall in refuſing to Anſwer. For all which Treaſons and crimes this Court doth adjudge, That He the ſaid* Charls Stuart *as a Tyrant, Traytour, Murtherer, and a publique Enemy ſhall be put to Death by ſevering of His Head from His Body.*

* Here the Clerk read the aforeſaid Charge.

After the Sentence read, the Preſident ſaid, *This Sentence now read and publiſhed, it is the Act, Sentence, Iudgement, and reſolution of the whole Court*; Here the whole Court ſtood up, as aſſenting to what the Preſident ſaid.

King. *Will you hear me a word Sir?*

Bradſhaw. *Sir, You are not to be heard after the Sentence.*

King. *No Sir!*

Bradſhaw. *No Sir, by your favour Sir! Guard, withdraw your Priſoner.*

King. *I am not ſuffered to ſpeak: expect what Iuſtice other people will have.*

Theſe

¶ *Theſe are the Names of ſuch Perſons as did actually ſit as Iudges upon the Tryall of his Majeſty, with the Councell and Attendants of the Court.*

Oliver Cromwel, Lieut: Generall,
Com. Gen. *Ireton.*
Major Gen. *Skippon:*
Sir *Hardreſſe Waller*,
Col. *Thomas Harriſon.*
Col. *Edward Whalley*,
Col. *Thomas Pride*,
Col. *Iſaac Ewer*,
Col. *Rich*: *Ingolsby*,
Sir *Henry Mildway*,
Thomas, Lord *Grey*,
Philip, Lord *Liſle*,
Will: Lord *Munſon.*
Sir *John Danvers*,
Sir *Tho*: *Maleverer*,
Sir *Iohn Bowcher*,
Sir *Iames Harrington*,
Sir *William Brereton*,
Will: *Henningham* Eſq.
Iſaac Pennington, Ald:
Thomas Atkins, Ald;
Col. *Rowland Wilſon.*
Sir *Peter Wentworth*
Col. *Henry Martyn*,
Col. *William Purefoy*,
Col. *Godfrey Boſvil*,
Col. *Iohn Berkſtead*,
Sir *Will*: *Conſtable*,
Col. *Edward Ludlow*,
Col. *Io*: *Hutchinſon*,
Col. *Rob*: *Titchburne*,
Col. *Owen Roe*,
Col. *Adrian Scroop.*
Col. *Iohn Okey*,
Col. *Iohn Harriſon*,
Col. *Iohn Desborough*,
Cornelius Holland, Eſq.
Miles Corbet, Eſq:
Francis Allen, Eſq.
Peregrin Pelham, Eſq.
John Gourdon, Eſq.
Serj. *Francis Thorp.*
Tho. Challoner, Eſq:
Col. *John Moore.*
Iohn Aldred Eſq.
Col. *Francis Laſſels*,
Henry Smith, Eſq.
Iames Chaloner, Eſq.
Dennis Bond, Eſq.
Humph: *Edwards*, Eſq.
Gregory Clement, Eſq.
Iohn Fray. Eſq.
Tho: *Wogan*, Eſq.
Sir *Greg*: *Norton*,
Serj. *Iohn Bradſhaw.*
Col. *Edm*: *Harvey.*
Iohn Dove, Eſq.
Col. *Iohn Venn.*
Iohn Foulks, Alder.
Thomas Scot.
Tho. Andrewes, Alder.
William Cawley, Eſq.
Col. *Anthony Stapley.*
Iohn Liſle, Eſq.
Iohn Corbet, Eſq.
Thomas Blunt, Eſq.
Thomas Boon, Eſq.
Col. *George Fleetwood*
Col. *James Temple.*
Sir *Peter Temple:*
Col. *Thomas Wayte.*
Iohn Browne, Eſq.
William Say, Eſquire.
Col. *Mat. Thomblinſon:*
Iohn Blackſton.
Gilb. Millington.
Abraham Barrell.
Col. *Io: Downes.*
Maſter *Norton.*
L. Gen. *Tho. Hammond.*
Nich. Love.
Vincent Potter.
Auguſtine Garland.
Sir *Miles Lyveſey.*
Io: Dixwell.
Simon Mayne.
Daniell Blagrave.
Col. *Robert Lylborne.*
Col. *Rich. Dean.*
Col. *Huſon.*
L. Col. *W. Goffe.*
Maſter *Carewe.*
Io. Ioanes.

Mr. *Bradſhaw*, nominated Preſident.

Counſellours aſſiſtant to this Court, and to draw up the Charge againſt the KING, are,
Doctor *Doriſlaus*,
Maſter *Aske.*
Maſter *Cooke*,
Serj. *Dandy*, Serjeant at Arms.
Mr. *Phelps* Clerke to the Court.

Meſſengers and Dore-keepers
Maſters *Walford*, Mr. *Ridley*, Mr. *Paine*, Mr. *Powell*: Mr. *Hull*, and Mr. *King* Cryer.

85. Observations upon the Tryall of His Majesty.

This is a relation of his Majesties Tryall by a mixed Court of Justice, erected by 50. or 60. Confederate Members of the House of Commons, sitting under the power of the Army, after all the rest of the Members above 250 had been violently secured, and secluded, and frighted away: And in order to this designe against the King, the House of Peers Voted downe, and yet the House of Commons (when intire) is no Court of Iudicature, nor can give an Oath. Had indifferent men been permitted to take Notes, you had had a more perfect Narrative; yet as it is, Truth shines forth to the confusion of this bloudy, cheating, tyrannicall faction: could they have wrought the King to have submitted to the jurisdiction of this Arbitrary Court, His example should have been urged as an irrefragable Precedent against the lives and liberties of the whole Kingdome, and urged to be of as great Authority, as if he had established that Court by Act of Parliament: so that the King is to be looked on as a civill Martyre dying for the Liberty of the People. And although they have failed of this device; yet they will have some other Arbitrary bloody inquisition to cut of the lives (without Lawes) of such as they desire to remove, without which this Tyrannous Kingdome of the Saints, or brambles, cannot subsist; and therefore on Thursday, 2: *February*, *Cromwell* and *Ireton*, and their Cannibal Councell of Officers projected to get an Act passed by their House of Commons (where all their Requests, are Commands) to enable the said Councell to hang all such as they shall adjudge Disturbers of the Army, although no Members of the Army: they must have publique Slaughter-Houses *in terrorem*, as well as private *ad pœnam*; the nature of their cause, and their naturall conditions requiring it. *Oliver* is a Bird of Prey, you may know by his Bloudy Beake; so was his Prodromus that Type and figure of him, *Iohn of Layden*; then whom, this fellow will shortly prove farre more bloudy: you see this Schismaticall remnant of one house, have the impudence to usurp the Supreme Authority to themselves: And then to tell you, that the Votes of this petty Conventicle (calling themselves the Commons) are the Law, nay the Reason of the Land, thereby devesting us of those Lawes which shall distinguish us from Slaves, and denying us the use of our reason, whereby we are differenced from Beasts, and

a. Part of *Engl.* liberty in Chains, *sub fine*: and the Hunting of the Foxes, &c.

expecting

expecting an implicite faith and blind obedience from us, to all the Votes of this halfe quarter of a House of Commons, so farre that they vote obedience to the known Lawes (in many cases) to be treason; and what all our Lawes call Treason, they Vote no Treason: nay, should they Vote a Turd to be a Rose, or *Oliver's* Nose a Ruby, they would expect we should sweare it, and fight for it. This legislative Den of Thieves erect new Courts of Iustice, neither founded upon Law nor prescription, Theaters of illegall Tyranny and oppression, to take away mens lives Arbitrarally, for actions which no Law makes criminous; nay, for such acts as the Lawes command, where their proceedings are contrary to *Magna Charta*, and all our known Lawes and usages, not *per probos & legales Homines*, no Juries, no sworne Judges, authentically chosen, no Witnesses face to face, no formall Indictment in which a man may find errour and plead to the jurisdiction of the Court, or where the Court ought to be of Councell with the prisoner: but the same engaged and vowed Enemies are both Parties, Prosecutors, Witnesses, Judges (or Authorizers and Nominators of the Judges) Actors of all parts upon that stage of Bloud.

The King pressed earnestly (especially upon Monday, 22. *Ian.*) to have his reasons against the jurisdiction of the Court heard, but was as often denied; he intended then to give them in writing, which was likewise rejected: so they were sent to the Presse. A true Copie whereof followes:

¶ *His Majesties Reasont against the pretended Jurisdiction of the High Court of Iustice, which he intended to deliver in writing on Monday*, Ian. 22. 1648.

Faithfully transcribed out of the Originall copie under the Kings own Hand

86 His Majesties Reasons against the Jurisdiction of the high Court of Justice; published after his condemnation

HAving already made my protestations not only against the illegality of this pretended Court, but also that no Earthly power can Iustly call me (who am your King) in question as a Delinquent, I would not any more open my mouth upon this occasion, more then to referre My selfe to what I have spoken, were I alone in this case concerned. But the duty I owe to God in the

preservation of the true Liberty of My People, will not suffer Me at this time to be silent: For, how can any free-borne Subject of *England* call life or any thing he possesseth his owne, if power without right daily make new, and abrogate the old fundamentall Law of the Land, which I now take to be the present case. Wherefore when I came hither, I expected that you would have endeavoured to have satisfied Me concerning these grounds, which hinder Me to Answer to your pretended Impeachment; but since I see that nothing I can say will move you to it (though Negatives are not so naturally proved as Affirmatives) yet I will shew you the Reasons why I am confident you cannot judge Me, nor indeed the meanest man in *England*; for I will not (like you) without shewing a reason, seek to impose a belieſe upon My Subjects.

* Hereabout I was stopt, and not suffered to speak anymore concerning Reasons.

* There is no proceeding just against any man, but what is warranted either by Gods Lawes, or the municipall Lawes of the Country where he lives. Now I am most confident, that this daies proceeding cannot be warranted by Gods Law, for on the contrary the authority of obedience unto Kings is cleerly warranted and strictly commanded both in the Old and New Testament; which if denied, I am ready instantly to prove: and for the question now in hand, there it is said, That *where the Word of a King is, there is Power; and who may say unto him, what doest thou? Eccles.* 8 4. Then for the Lawes of the Land, I am no lesse confident, that no learned Lawyer will affirm that an Impeachment can lie against the KING, they all going in His Name; and one of their Maxims is, *That the King can do no wrong.* Besides, the Law upon which you ground your proceedings, must either be old or new; if old, shew it; if new, tell what Authority warranted by the fundamentall Lawes of the Land hath made it, and when. But how the House of Commons can erect a Court of Judicature, which was never one it selfe (as is well known to all Lawyers) I leave to God and the World to judge; And it were full as strange that they should pretend to make Laws without King or Lords House, to any that have heard speak of the lawes of *England*.

And admitting, but not granting, that the People of *Englands* Commission could grant your pretended power, I see nothing you

you can ſhew for that; for certainly you never asked the queſtion of the tenth man of the Kingdome, and in this way you manifeſtly wrong even the pooreſt Ploughman, if you demand not his free conſent; nor can you pretend any colour for this your pretended Commiſſion without the conſent at leaſt of the major part of every man in *England*, of whatſoever quality or condition, which I am ſure, you never went about to ſeek; ſo farre are you from having it. Thus you ſee that I ſpeak not for My owne right alone, as I am your King, but alſo for the true liberty of all My Subjects, which conſiſts not in ſharing the power of Government, but in living under ſuch lawes, ſuch a Government as may give themſelves the beſt aſſurance of their lives and propriety of their goods. Nor in this muſt or doe I forget the Priviledges of both Houſes of Parliament, which this dayes proceedings doth not onely violate, but likewiſe occaſion the greateſt breach of their Publike Faith that (I believe) ever was heard of, with which I am farre from charging the two Houſes; for all the pretended Crimes laid againſt Me, beare date long before this late Treaty at *Newport*, in which I having concluded as much as in Me lay, and hopefully expecting the two Houſes agreement thereunto, I was ſuddenly ſurprized and hurried from thence as a Priſoner, upon which accompt I am againſt My will brought hither, where ſince I am come, I cannot but to my power defend the ancient lawes and liberties of this Kingdom, together with My owne juſt Right; then for any thing I can ſee the higher Houſe is totally excluded.

And for the Houſe of Commons, it is too well known that the major part of them are detaind or deterr'd from ſitting, ſo as if I had no other, this were ſufficient for Me to proteſt againſt the lawfulnes of your pretended Court.

Beſides all this, the peace of the Kingdome is not the leaſt in My thought, and what hope of ſettlement is there ſo long as power reigns without rule of law, changing the whole frame of that Government under which this Kingdome hath flouriſhed for many hundred years (nor will I ſay what will fall out in caſe this lawleſſe unjuſt proceeding againſt Me do go on) and believe it the Commons of *England* will not thanke you for this change, for they will remember how happy they have been of late years

under the Reigne of Queen *Elizabeth*, the King my Father, and My selfe, untill the beginning of these unhappy troubles, and will have cause to doubt that they shal never be so happy under any new. And by this time it will be too sensibly evident, that the Armes I took up were only to defend the fundamentall Lawes of this Kingdome, against those who have supposed my power hath totally changed the ancient Government.

Thus having shewed you breifly the Reasons, why I cannot submit to your pretended Authority without violating the trust which I have from God, for the welfare and liberty of my People; I expect from you either cleare Reasons to convince My judgment, shewing me that I am in an error (and then truly I will readily answer) or that you will withdraw your proceedings.

This I intended to speake in *Westminster-hall* on Monday, 22. *Ianuary*, but against Reason was hindred to shew my Reasons.

87 Alteration of the formes and styles of Writs and legall proceedings.

The 27. *Ianuary*, The Commons read the Act for altering the formes of Writs, and other proceedingt in Courts of Iustice, which (according to all our Known Lawes, the custome of all Ages, and the fundamentall Government of this Kingdome) ever ran in the King's name: This Act upon the Question was assented to, and no concurrence of the Lords desired, of this more here. after.

88 A Proclaim: to be brought in, prohibiting the Pr. of *Wales*, or any of the K. Issue to be proclaimed King of *England*.

The Iunto of 50. or 60. Commons appointed a Committee to pen a Proclamation, That if any man should go about to Proclaime Prince *Charls*, or any of that line King of *England* (after the removall of King *Charls* the Father out of this life) as is usually, and ought to be done by all Mayors, Bayliffs of Corporations, High Sheriffs, &c. under high penalties of the Law for their neglect) or shall Proclaime any other without the Consent of the present Parliament: The Commons declare it to be High Treason; and that no man under paine of Imprisonment or such other (Arbitrary) punishment, as shall be thought fit to be inflicted on them, shall speake or preach any thing contrary to the present proceedings of the Supreme Authority of this Nation, the Commons of *England* Assembled in Parliament. Your hands and

feet

feet, liberties and conſcience were long ſince tied up, now yon are tongue-tied.

Vpon motion, the houſe Ordered, that Doctor *Iuxon* Biſhop of *London* ſhould be permitted to be private with the King in His Chamber, to preach and adminiſter the Sacraments, and other ſpirituall enmforts to him: But notwithſtanding, their Miniſters of the Councell of Warre, appointed that weather-cock *Iohn Goodwin* of *Coleman-ſtreet* (the *Balaam* of the Army that curſeth and bleſſeth for hire) to be Superintendent both over King and Biſhop, ſo that they could hardly ſpeake a word together without being over-heard by the long-ſchiſmaticall-eares of black-mouthed *Iohn*: Beſides, I here that for ſome nights a Guard of Souldiers was kept within his Chamber, who with talking, clinking of pots, opening and ſhutting of the dore, and taking Tobacco there (a thing very offenſive to the Kings nature) ſhould keepe him watching, that ſo by diſtempering and amazing him, with want of ſleep, they might the eaſier bring him to their bent.

89 The Biſhop of *London* appointed by the Ho: to adminiſter ſpirituall comfort to the condemned King; and the Kings uſage by the Army. See Mr. *Jo. Geree's* Book againſt *Goodwin*, called, [*Might overcomming right.*] And Mr. *Pryn's* Epiſtle to his Speech. 6. *Dec.* 1648.

28. *Ianuary*, being the laſt Sabbath the King kept in this life, ſome of the grandees of the Army and Parliament tendered to the King a Paper-booke, with promiſe of Life and ſome ſhadow of Regality (as I heare) if he Subſcribed it: it contained many particulers deſtructive to the fundamentall Government, Religion, Lawes, Liberties, and Properties of the People: One whereof was inſtenced to Me, *viz.* That the KING ſhould (amongſt many other demands) paſſe an Act of Parliament for keeping on foot the *Militia* of this Army during the pleaſure of the Grandees, who ſhould be truſted with that *Militia*; and with power from time to time to recruit and continue them to the number of 40000. Horſe and Foot, under the ſame Generall and Officers, with power notwithſtanding in the Councell at Warre to chuſe new Officers and Generalls from time to time as occaſion ſhall happen, and they think fit; and to ſettle a very great Tax upon the People by a land Rate, for an eſtabliſhed pay for the Army; to be collected and leavied by the Army themſelves, and a Courr Martiall of an exorbitant extent and latitude. His Majeſty (as I heare) read ſome few of the Propoſions, and throwing them aſide told them, he would rather become a ſacrifice for

90 A Paper booke of Demands tendered to be Subſcribed by the King the Sunday before He died. See ſect. 94.

His People, then betray their Lawes aud Liberties, Lives and Estates, together with the Church and Common-wealth, and the Honour of His Crowne, to so intollerable a Bondage of an Armed Faction.

91. The Stile and Title of *Custodes libertatis Angliæ*, voted to be used in legall proceedings, in stead of the style of the King. These Goalers of the Liberties of *England* are *Individuum vagum*, not yet named. See a Continuation of this madness in an Act for better setling proceedings in Corts of Justice, according to the present Government, Dated 17. *Feb.* 1648.

Monday 29. *Ianu.* 1648. The legislative halfe quarter of the House of Commons, voted as followeth, (hearken with admiration Gentlemen) Be it enacted by this present Parliament, and by Authority of the same, that in all Courts of Law, Iustice, and Equity, and in all Writs, Grants, Pattents, Commissions, Indictments, Informations, Suits, Returnes of Writs, and in all Fines, Recoveries, Exemplifications, Recognizances, Processe, and proceedings of Law, Iustice, or Equity within the Kingdoms of *England* or *Ireland*, Dominion of *Wales*, &c. instead of the Name, Stile, Teste, or Title of the KING heretofore used, that from henceforth the Name, Stile, Test or Title *Custodes libertatis Angliæ authoritate Parliamenti*, shall be used, and no other, and the Date of the year of the Lord, and none other; and that all Duties, Profits, Penalties, Fines, Amerciaments, Issues, and Forfeitures whatsoever, which heretofore were sued for in the name of the KING, shall from henceforth be sued for in the name of *Custodes libertatis Angliæ authoritate Parliamenti*: and where the words were (*Juratores pro Domino Rege*) they shall be (*Juratores pro Republica*) and where the words are (*contra pacem, dignitatem & coronam nostram*) the words from henceforth shall be (*contra pacem Publicam.*) All Judges, Iustices, Ministers, and Officers, are to take notice hereof, &c. aud whatsoever henceforth shall be don contrary to this Act, shall be, and is hereby declared to be null and void; the death of the King, or any Law, usage or custome to the contrary notwithstanding, &c.

92. Another device to mortifie the King.

The King lay in *White-hall* Saturday (the day of the Sentence) and Sunday night so neer the place appointed for the separation of His Soule and Body, that He might heare every stroke the Work-men gave upon the Scaffold (where they wrought all night) this is a new device to mortifie Him, but it would not doe.

93. Tuesday, 30. *Ian.* 1648. was the day appointed for the Kings Death; He came on Foot from Saint *Iames's* to *Whitehall* that morning: His Majesty coming upon the scaffold, made a speech

to

to the People; which could onely be heard by some few Souldiers and Schismaticks of the Faction who were suffered to possesse the Scaffold, and all parts near it; and from their Pennes only we have our informations:

✻ *His Majesties Speech upon the Scaffold, and His Death, or Apotheosis.*

The KING told them,

THat all the world knew He never began the Warre with the two Houses of Parliament, and He called God to witnesse (to whom He must shortly give an account) he never intended to encroach upon their Priviledges, They began upon Me, it was the Militia they began with, they confessed the Militia was Mine, but they thought fit to have it from Me: and to be short, if any body will look to the dates of the Commissions, Theirs, and Mine, and likewise to the Declarations, will see cleerly that they began these unhappy Troubles.

And a little after He said, *I pray God they may take the right way to the peace of the Kingdome; But I must first shew you how you are out of the way, and then put you into the right way: First, you are out of the way, for all the way you ever had yet (by any thing I could ever find) was the way of Conquest, which is a very ill way, for Conquest is never just except there be a good just Cause, either for matter of wrong, or just Title, and then if you go beyond the first Quarrell that you have, that makes it unjust in the end that was just in the beginning: but if it be onely matter of Conquest, then it is a great Robbery, as the Pyrat said to Alexander, and so (I think) the way that you are in hath much of that way; Now (Sirs) to put you in the way, believe it you will never do right, nor God will never prosper you untill you give him his due, the King (that is My Successor)*

94 Souldiers Rebelling against their Masters or Soveraign, though they prevail, cannot claim by conquest, because their quarrell was perfidious base and sinfull from the beginning.

Successor) *his due, and the People* (*for whom I am as much as any of you*) *their due.*

1. *You must give God his due, by regulating rightly his Church,* (*according to his Scripture*) *which is now out of order, to set you in a way particularly now I cannot, but only a Nationall Synod freely called, freely debating amongst themselves must settle this; when that every opinion is freely and clearly heard.*

2. *For the King, the Lawes of the Land will freely instruct you, and because it concernes my selfe I will only give you a touch of it.*

3. *For the People* (*and truly I desire their Liberty and Freedom as much as any man whatsoever*) *I must tell you, their Liberty and freedome consists in having such a Government, whereby their Lives and Goods may be most their own, it lies not in having a share in the Government, that is nothing pertinent to them; a Subject & a Soveraign are cleane different things: and therefore untill you restore the People to such a liberty, they will never enioy themselves;* See sect. 19. *Sirs, it was for this I now come hither, if I would have given way to an Arbitrary sway, to have all Lawes changed according to the power of the Sword, I needed not to have come here; and therefore I tell you* (*and I pray God it be not laid to your charge*) *that I am the Martyr of the People, &c.*

The House had the impudence to answer the Dutch Ambassadours, That what they had done to the King was according to the Law of the Land. They meant, that their Lusts are the Lawes of the Land: for other Law they can shew none.

This was the effect of his Majesties Speech, who shewed much magnanimity and Christian Patience during all the time of his Triall and Death, notwithstanding many barbarous affronts put (by way of tentation) upon him; he had his Head severed from his Body at one stroak, the Souldiers and Schismaticks giving a great shout presently.

Thus

BIBLIOTHECA BODLEIANA

THE ROYALL OAKE OF BRITTAYNE
Sero sed Serio
BIBL IA SACR A
MAG NA CHAR TA
STA TV TES
RE POR TES
Quod Vtile Honestum
Barathrum Pisci Charibdis Vulgatum
Kill and take possession 1. Kings. 19.
Letus kill him and seyse his Inheritance Math 21 38
Quereu cadente ligna quiuis colligit
Incertum Vulgus
Fatted for Slaughter

Thus this Noble Prince (a Gentleman sanctified by many afflictions) after he had escaped Pistoll, Poyson, and Pestilent ayre, could not escape the more venemous tongues of Lawyers and Pettyfoggers, *Bradshaw*, *Cooke*, *Steele*, *Aske*, and *Doroslaus*; thus *the shepard is smitten, and the sheep scattered.*

THe said High Court of Iustice, with the downfall of King CHARLES *the 1. thereby and in Him of the Royall Government, Religion, Lawes, and Liberties of this auntient Kingdome is Emblematically presented to the Readers view*: See the Figure.

94 Proclamations published against proclaming the King

Presently after this dissolution of the King, the Commons sent abroad Proclamations into *London*, and all *England* over, reciting, *That Whereas severall pretenses might be made to this Crown, and Title to the Kingly Office set on foot, to the apparent hazard of the publique Peace. Be it enacted and ordained by this present Parliament, and by the authority of the same, that no person whatsoever doe presume to Proclaime, declare, publish, or any waies to promote* Charles Stuart (*Sonne of the said* Charles) *commonly called Prince of* Wales, *or any other Person to be King, or chiefe Magistrate of* England or Ireland, *or of any Dominions belonging to them; by colour of Inheritance, Succession, Election, or any other claime whatsoever, without the free consent of the people in Parliament first had*

Who shall judg when these fellowes will be thought free, and when not?

and signified by a particular Act or Ordinance, for that purpose, any Law, Stat: Usage or custome to the contrary notwithstanding; and whosoever shall contrary to this Act, Proclaime, &c. shall be deemed and adjudged a Traytor, and suffer accordingly.

Notwithstanding which inhibition, the 2. *February*, 1648. was printed and scatetred about *London* streets this following Proclamation:

95. A Proclamation privately printed and scattered, proclaiming CHARLS the Second.

¶ *A Proclamation proclaiming* CHARLES *Prince of* Wales, *King of* Great Britaine, France, *and* Ireland.

WEE the Noblemen, Judges, Knights, Lawyers, Gentlemen, Free-holders, Merchants, Citizens, Yeomen, Seamen, and other Freemen of England, *doe, according to our Allegiance and Covenant, by these presents heartily, joyfully and unanimously acknowledge and proclaime the Illustrious* CHARLS *Prince of* Wales, *next heire of the blood Royall to his Father King* CHARLS *(whose late wicked and trayterous murther we doe from our soules abominate, and all parties and consenters thereunto) to be by hereditary Birthright, and lawfull succession, rightfull and undoubted King of* Great Britaine, France *and* Ireland, *and the Dominions thereunto belonging. And that we will faithfully, constantly and sincerely in our severall places and callings defend and maintaine his Royal Person, Crowne and Dignity with our Estates, Lives, and last drop of our Bloods, against all Oppofers thereof; whom we doe hereby declare to be Traytours and Enemies to his Majesty and his Kingdoms. In testimony whereof, we have caused these to be published and proclaimed throughout all Counties and Corporations of this Realm, the first day of* February, *in the first year of his Majesties Reigne.*

God save King CHARLES the Second.

The

The fagge end of the House of Commons, *Feb.* 1. 1648. passed a thing they call an Act, That such Members as had assented to the Vote, 5. *Decemb.* 1648. That the Kings Concessions were a ground for the House to proceed to a settlement, should not be re-admitted to sit as Members; such as were then in the House and voted in the negative should first enter their dissent to the said Vote, such as were absent should declare their disapprovall before they sit. You see the cheating Godly are resolved to keepe all to themselves.

96. A Vote that such Members as had assented to the Vote, 5. *Dec.* shal sit no more: others to enter their dissent & disapprovall.

This day their tame Lordships sent a Message to the House of Commons, but they were too surly to call the Messengers in: the substance of the Message was, That their Lordships had appointed 7. of their House to joyne with a proportionable number of Commons, to consider of a way how to settle this Nation.

97 The Lords send a Message to the Comm: but the Messenger not called in.

Monday, 5. *Feb.* 1648. The Commons debated whether they should continue the House of Lords as a Court Judicatory, or Consultory onely? And the day following they put this Question, Whether this House shall take the advice of the House of Lords, in the exercise of the Legislative power of the Kingdome, in pursuance of the Votes of this House, 4. *Ianu:* last. This was carried in the Negative by many Voices: in farther pursuance of which Vote, they farther voted, That the House of Peeres in Parliament is useleſse and dangerous, and ought to be abolished; and that an Act be brought in for that purpose, and voted downe their priviledge of being exempt from Arrests; yet they graciously condescended they shall be capable of being elected Knights of Shires, and Burgesses, if any will be so mad as to chuse them: yet my Lord of *Pembroke* is as much overjoyed with this gay priviledge, as if they had bestowed a new Cap with a Bell and a Bable upon him: who will not now conclude that the Votes of this Legislative, this supreme piece of the House of Commons, is the onely Law and reason, of the Land, which leads all our Lawes and reason captive, and is almighty against all but the Councell of the Army.

98. The House of Lords voted downe.

The 8. *Feb.* came forth A Declaration and Protestation of the Peeres, Lords and Barons of this Realme, against the late treasonable proceedings and tyranicall usurpations of some

99. A Protestation of the Peeres.

Members of the Commons House, who endeavoure to subvert the fundamentall Lawes, and Regall Government of this Kingdom, and enslave the People to their boundlesse Tyranny in stead of Freedome. The Protestation followeth.

WE the Peers, *Lords and Barons of this Realme of* England, *for the present necessary vindication of the undoubted Rights and Priviledges of Parliament, and more particularly of the House of Peers the just prerogatives and Personall safety of our Kings, the known Lawes and Liberties of this Kingdome, the hereditary Freedom of all the Freemen of this Nation, and our own affronted and contemned Honour and Authority, against the many late unpraleld dangerous Invasions and treasonable Usurpations of a few insolent mis-advised Members of the (late) House of Commons, whiles the greatest and ablest part of that House were forcibly detained or deterr'd from thence, wherewith we find our selves and the whole Kingdome unsufferably injured and deepely afflicted: Doe, after a long patient expectation of their own ingenious Retractations of such unjustifiable Exorbitances, which their own judgments and consciences cannot but condemne, whereof we now utterly despaire; being thereto engaged in point of Honour, Loyalty, Conscience, Oath, & love to our Native Country, as also by our Solemne League and Covenant, publikely declare and protest to all the world, That by the Lawes and Customes of this Realme, and usage of Parliament time out of mind, ever since there were Parliaments in this Island, the principall Authority and Judicatory of the Parliaments of* England *hath alwaies constantly resided, and ought stilk to continue only in the King and House of Peers, (wherein He alwaies sits) and not in the Commons House, who never had, claimed, or ought to have any right or power to judge any Person or Cause civilly or criminally (having no authority to examine any Witnesses upon Oath, and being no Court of Record) but only to accuse and impeach Delinquents in and before the House of Peers, where they alwaies have used to stand bare-headed at their Barre; but never yet to stand covered, much lesse to sit, Vote, or give Judgment. And that the House of Commons without the concurrent assent of the House of Peers, and Kings of* England, *never heretofore challenged nor enjoyed, nor can of right pretend to any lawfull power or jurisdiction to make or publish any firme or binding*

Ordinance

Ordinance, Vote, Act, or Acts of Parliament whatsoever, nor ever once presumed to passe any Act or Acts to erect a new High Court of Justice, to trie, condemne, or execute the meanest Subject, least of all their own Soveraign Lord and King, or any Peere of the Kingdome (who by the Common and Statute Lawes of this Realme, and Magna Charta, ought to be tried only by their Peers and not otherwise) or to Disinherite the right Heire to the Crowne, or to alter the fundamentall Government, Lawes, Great Seale, or ancient formes of processe and legall proceedings of this Realme, or to make or declare High Treason to be no Treason; or any Act to be Treason, which in it selfe, or by the Law of the Land is no Treason; or to dispose of any Offices or Places of Iudicature, or impose any Penalties, Oathes, or Taxes on the Subjects of this Realme. And therefore we doe here in the presence of Almighty God, Angells, and Men, from our hearts disclaime, abhorre, and protest against all Acts, Votes, Orders or Ordinances of the said Members of the Commons House lately made & published, for setting up any new Court of Iustice to trie, condemne, or execute the King, or any Peere or Subiect of this Realme: (which for any Person or Persons to sit in or act as a Iudge or Commissioner, to the condemning or taking away the life of the King, or any Peere or other Subiect, we declare to be High Treason and Wilfull Murther) to Disinherite the Prince of Wales of the Crowne of England, *or against Proclaiming him King after his Royall Fathers late most impious, trayterous and barbarous murther, or to alter the Monarchicall Government, Lawes, Great Seale, Iudicatories, and auncient formes of Writs, and Legall processe and proceedings; or to keep up or make good any Commissions, Iudges or Officers, made void by the Kings bloudy execution; or to continue any old, or raise any new forces or Armies; or to impose any new Taxes, Payments, Oathes or forfeitures on the subjects or to take away any of their Lives, Liberties or Estates against the fundamentall Lawes of the Realme, or to make any new Iudges, Iustices, or Officers; or set aside the House of Peers (farre antienter then the Commons House) and particularly this insolent and frantique Vote of theirs,* Feb. 6. [That the House of Peers in Parliament is useless and dangerous, and ought to be Abolished, and that an Act be brought in for that purpose] *to be not only void, null, and illegall in themselves by the Lawes and Statutes of this Realme, but likewise treasonable, detestable, tyrannicall,*

and destructive to the Priviledges, Rights and being of Parliaments, the just Prerogatives and Personall safety of the Kings of England; *the fundamentall Government and Lawes of the Realme, the Lives, Liberties, Properties and Estates of the people and the most transcendent tyranny and usurpation over the King, Kingdome, Parliament, Peers, Commons, and Freemen of* England *ever practised or attempted in any Age, tending onely to dishonour, enslave, and destroy this antient flourishing Kingdome, and set up Anarchy and confusion in all places.*

All which exorbitant and trayterous Usurpations; We, and all free-born English-men are by all obligations bound to oppose to the uttermost with our lives and fortunes, lest We should be accessary to our own and our posterities slavery and Ruine, for preventing whereof We have lately spent so much bloud and treasury against the Malignant Party, whose treasons and insolencies they far exceed.

* 100 The Kingly Office voted downe. After almost 1000. years it is now discovered by these New Lights to be inconvenient to be in one hand; therefore it must be in the Councell of State: forty Tyrants for one King. That is the Army & their Party.

* The 7. *Feb.* the Commons debated about the Kingly Office, and passed this Vote,

Resolved, &c. By the Commons of *England* assembled in Parliament, that it hath been found by experience, and this House doth declare, that the Office of a King in this Nation, and to have the power thereof in any single Person is unnecessary, burdensome and dangerous to the liberty, safety, and publique interest of the People of this Nation, and therefore ought to be abolished, and that an Act be brought in for that purpose.

101. A Committee to bring in a List of Names for a Councell of State.

A Committee was named to bring in a List of Names (not exceeding 40) to be a Committee of State, by Act of the House of Commons. This is to pull downe one King, to whom we owe Allegiance; and set up forty Tyrants to whom we owe no Allegiance.

102. New Commissions for the Judges, where of 6. hold, and 6. quit their Places.

Instructions were given by the Commons for drawing new Commissions for the Judges, according to the new Antimonarchicall stile and way, the new Great Seale being now ready, a Committee of the House met the Judges about it; whereof six agreed to hold (upon a provision to be made by Act of the House of Commons, that the fundamentall Lawes be not abolished.) This very provision so made by Act of the Commons (beside all their former Votes against Monarchy, Peerage, alte-

ring

ring the stile of Writs, coynage of Money, &c.) is it selfe an abolition of the fundamentall Laws: This is but a Fig-leafe to cover their shame. Those that held were, of the *Kings* bench, Mr. Justice *Rolles*, and Judge *Jermyn*; of the Common Pleas, Mr. Justice *St. Iohn*, and Judge *Phesant*; of the Exchequer, Chief Baron *Wylde*, and Baron *Yates*: those which quitted their Places and kept their consciences were, Justice *Bacon*, Justice *Browne*, Sir *Tho: Beddinfeilde*, Justice *Cressewell*, Baron *Trevor*, and Baron *Atkins*.

103 *Cyrencester* Election: But the Clerk of the Crowne certifyed, that (betweene the Committee of Elections, and himselfe) they could not find the Indentures of returne: the House therefore Ordered, That they

8 *Febr.* The Election of the Generall and Col. *Rich* at *Cyrencester* which never durst see the light before, after about 3. yeares lying dormant, and no account made of it; is on a sudden reported to the House, approved of, and the Clerk of the Crown (for whom they have not invented a new name yet) ordered to mend the return of the Writ at the Barre.

* They likewise passed a Declaration to this purpose, that they are fully resolved to maintaine, and shall and will uphold, preserve and keep the fundamentall Lawes of this Nation; for, and concerning the preservation of the lives, liberties and properties of the People, with all things incident thereunto, with the alterations concerning Kings, and House of Lords, already resolved in this present Parliament.

should Sit, and doe the service; so they are Burgesses not returned: but ordered to sit. * 104. A Declaration. That they will keep the fundamentall Lawes, (lives) why did they erect the High Court of Justice, and doe still continue Martiall Law? (liberties) why doe they presse Seamen then? (properties) why doe they leavie illegall Taxes by Souldiers, and continue illegall Sequestrations?

105 The Judges Circuits appointed, the Benches filled up, and their Oaths altered.

Monday, February 12. The Commons appointed the Circuits for those Judges that held, and passed an Act for Compleating the Judges of the severall Courts, filling up the rooms of those that held not, with some alterations in their former Commissions, and a new Oath to be given them, to swear well and truly to serve the Common-wealth in the Office of a Justice of the Upper Bench (which all our Lawes call the *Kings Bench*) or Common Pleas, according to the best of their skill and cunning.

106. A new Oath for the Freemen of *London* and other Corporations.

The House passed an Act that the Oath under written, and no other be administred to every Freeman of the City of *London* at his admission, and of all other Cities, Boroughs, and Townes Corporate,

You

YOu shall sweare, that you will be true and faithfull to the Common-wealth of England, *and in order there to, you shall be obedient to the just and good Government of the City of* London, *&c.*

107 An Act to repeale the oaths of Allegiance, Obedience, & Supremacy.

They passed an Act also, to repeale the severall Clauses in the Statutes, 1. *Eliz.* and 3. *Jacob.* enjoyning the Oathes of Allegiance, Obedience and Supremacy, That the said Oathes, and all other Oathes of the like nature shall be, and are hereby wholly taken away, the said Clauses in the said Acts be made void and null, and shall not hereafter be administred to any Person, neither shall any place or office be void hereafter by reason of the not taking of them, or any of them, any Law, Custome, or Statute to the contrary notwithstanding.

108 Another Declaration and Protestation of the secured and secluded Members.

In opposition to these tyrannous, destructive, illegall and trayterous proceedings of forty or fifty cheating Schismaticks sitting under the force, and promoting the interest of will and power of the Rebellious Councell of Officers in the Army: the secured and secluded Members of the House of Commons Declared as followeth.

¶ *A Publike Declaration and Protestation of the secured and secluded Members of the House of Commons; against the treasonable and illegall late Acts and proceedings of some few Confederate Members of that dead House, since their forcible Exclusion*, 13. Febr. 1648.

WE the secured and secluded Members of the late *House of Commons*, taking into our sad and serious Considerations the late *dangerous, desperate and treasonable proceedings* of some few Members of that House (not amounting to a full eighth part of the House if divided into ten) who confederating with the Officers and Generall Councell of the Army, have forcibly detained and secluded us (against the *Honour, Freedom*, and *Priviledges of Parliament*) from sitting and voting freely with them, for the better setling of the Kingdomes Peace; and contrary to their Oathes of Allegiance and Supremacy, their Protestation, the *Solemne League and Covenant*, and sundry *Declarations* and *Remonstrances*,

monſtrances of both Houſes, to his late *Murdered MAJESTY*, *His Heires and Succeſſors*, the whole *Kingdome of England*, *Scotland* and *Ireland*, and to all *foraigne States* and *Nations* (ſince our exclusion and forced abſence from their Councell, by reaſon of the Armies force) moſt preſumtuouſly arrogated and uſurped to themſelves the title of, *The Supreme Authority of this Kingdome*: and by colour and pretence thereof have wickedly and audaciouſly preſumed, without and againſt our privities or conſents. and againſt *the unanimous Vote of the Houſe of Peers*, to erect a *High Court of Iuſtice* (as they terme it) though never any Court themſelves, to Arraigne and condemne His Majeſty, againſt the Lawes of God, and the municipall Lawes of the Realme: which Court (conſiſting for the moſt part of ſuch partiall and engaged perſons who had formerly vowed his Majeſties diſtruction, and ſought His bloud) moſt illegally and unjuſtly refuſed to admit of his Majeſties juſt reaſons and acceptions againſt their uſurped Iuriſdiction; and without any Lawfull Authority or proofe againſt him, or legall Triall; preſumed moſt traiterouſly and impiouſly to condemne and Murder Him: and ſince that, have likewiſe preſumed to Trie and Arraigne ſome *Peers*, and others *Free Subject of this Realme* for their Lives, contrary to *Magna Charta*, the *Petition of right*, the *Lawes of the Land*, and *the Liberty of the Subjects*, to the great enſlaving and indangering of the lives and liberties of all free People of *England*.

And whereas the ſaid confederate Commons have likewiſe Tyrannically and Audaciouſly preſumed contrary to their Oathes and Engagements aforeſaid, to take upon them to make acts of Parliament (as they tearme them) without our privity or aſſents, or the joynt conſent of the King and Houſe of Lords, contrary to the uſe of Priviledges of Parliament and known Lawes of the Land, and by pretext thereof have trayterouſly and wickedly endeavoured to Diſ-inherite the Illuſtrious *CHARLES Prince of Wales*, next Heire to the Crowne, and actuall *KING* of *England*; *Scotland*, *France*, and *Ireland*, immediately after his ſaid Royall *Fathers barbarous Murder*, *by Right of Deſcent*; *and* Proclaimed it Treaſon for any Perſon to Proclaime him KING; (whereas it is high Treaſon in them thus to prohibit his Proclaiming) and have likewiſe traiterouſly and impudently encroached

a *tyrannical* and *lawlesse power* to themselves to Vote down our ancient *Kingly* and *Monarchical Government*, and the *House of Peers*; and to make a *new Great Seal of England*, without the *Kings Portraicture* or *Stile*, and to alter the ancient *Regall* and *Legall stile of Writs*, and *proceedings* in the *Courts of Justice*, and to create *new Judges* and *Commissioners* of the *Great Seale*, and to dispense with their *Oathes* of *Supremacy* and *Allegiance*, and to prescribe *new Oathes* unto them contrary to Law, (though they have no *Authority* by any Law, Statute, or Custome to administer or enjoyne an *Oath* to any man) and thereby have *trayterously* attempted to alter the fundamentall *Laws* and *Government* of this Kingdom, and to subvert the *freedome, priviledges, and beeing* of *Parliaments*; for which Treasons, *Strafford* and *Canterbury* (though lesse criminall) lost their *Heads* this last *Parliament*, by some of their owne prosecutions, and the Judgment of both Houses.

We in discharge of our respective duties and obligations both to God, the King, our owne Consciences, our bleeding dying Kingdoms, and the severall Counties, Cities, and Burroughs for which we serve, doe by this present Writing, in our own Names, and in the Names of all the Counties, Cities, and Burroughs which We represented in Parliament, publickly declare and solemnly protest before the all-seeing God, the whole Kingdoms of *England, Scotland*, and *Ireland*, and the world; that We doe from the bottome of our hearts abominate, renounce and disclaime all the said pretended Acts, Votes, and proceedings of the said confederate Members, (acted under the Armies power against our Consents) as treasonable, wicked, illegall, unparliamentary, tyrannicall, and pernitious both to the King, Parliament, kingdomes, and all the free-borne People of this Realme, extreamly disadvantagious and dishonourable to our Nation, scandalous to our Religion, and meer forcible Usurpations, and Nullities void in Law to all intents and purposes; which wee, and all the Freemen of this kingdome, and all the kingdomes and Dominions thereto belonging, are bound openly to disavow, oppugne, and resist as such, with our purses, armes, lives, to the last drop of our blouds; and to which, neither We, nor any other can, ought, or dare to submit or assent in the least degree, without incurring the guilt of *High Treason*, and the highest *perjury*, *infamy*, and *disloyalty*,

disloyalty. And in case the said Confederates shall not speedily retract, and desist from those their treasonable practises, and tyrannicall usurpations; (which We cordially desire and entreat them by all obligations of love and respect they have to God, Religion, their King, Country and Posterity timely to doe.) We doe hereby denounce and declare them to be Traytors and publique Enemies both to the King and Kingdome, and shall esteeme and prosecute them, with all their wilfull Adherents, and voluntary Assistants as such; and endeavour to bring them to speedy and condigue Punishment, according to the *Solemne League and Covenant*; wherein, We trust the whole *Kingdome*, all those for whom We serve, and the *Lord of Hosts* himself to *whom* We have sworne and *lifted up our hands, hearts*, and *fervent prayers* will be aiding and assisting to us, and all our brethren of *Scotland* and *Ireland* who are *united* and conjoyned with us in *Covenant* to our GOD, and *Allegiance* to our *Soveraigne King* CHARLES *the Second*, who (we trust) will make good all his destroyed *Fathers concessions* which really concerne our *peace*, or *safety*, and secure Us against all *force* and *tyranny* of our *Fellow Subjects*; who now, contrary to their Trusts and former Engagements, endeavour by the meer power of that Sword, (which was purposely raised for the protection of our *Persons, Government, Religion, Laws, Liberties, the* KING'S *Royall Person and Posterity, and the Priviledges of Parliament*) to Lord it over Us at their pleasure, and enthrall and enslave Us to their *armed violence*, and *lawlesse martiall Wills*; which we can no longer tolerate nor undergoe, after so long fruitlesse and abused patience in hope of their repentance.

About the same time came out another Paper, entituled:

109. A Paper entituled [*Foure true Positions &c.*]

¶ *Foure true and considerable Positions for the sitting Members, the new Court of Justice, and new Judges, Sheriffs, Officers, Lawyers, Justices, and others to ruminate upon.*

1. THat the whole House of Commons in no Age had any Power, Right or Lawfull Authority to make any Valid or binding Act or Ordinance of Parliament; or to impose any Tax, Oath, Forfeiture, or capitall punishment upon any Person or

Free-man of this Realme, without the *Lords or Kings concurrent* assents: much lesse then can a small remnant only of the Members of that House doe it, sitting under an armed force (which nulls and vacates all their *Votes* and proceedings, as the *Ordinance* of 20. *August* 1647. declares) whilst most of their fellow Members are forcibly detained and driven thence, as Mr. *St. John* proves in his speech concerning Ship-mony, *p.* 33. and in his Argument concerning the Earle of *Straffords* attainder, *p.* 70. 71. 76. 77. 78. and Sir *Edw. Cooke* in his 4. *Institute*, 3.

2. That the few Members now sitting in, and the House of Commons being no Court of Justice of it selfe, and having no power to here and determin any civill or criminall Causes, nor to give an oath in any ease whatsoever, cannot by the Lawes and Statutes of the Realm, nor by any pretext of Authority whatsoever, erect any new *Court of Justice*, nor give power or authority to any new Iudges, Iustices, or Commissioners to arraigne, trie, condemne or execute any Subject of meanest quality, for any real or pretended crime whatsoever; much lesse their own Soveraigne Lord the *King*; or any *Peers* of this Realm, who ought to be tried by their Peers, and by the Law of the Land alone, and not otherwise. And that the condemning and executing the King, or any Peere, or other Subject by pretext of such an illegall authority, is no lesse then high treason and wilfull Murder, both in the Members, the Commissioners, Iudges or Justices giving and executing sentence of death in any such arbitrary & lawlesse void Court, or by vertue of any such void and illegall Commissions.

3. That the House of Commons and Members now sitting, have no power nor authority to make or alter the Great Seale of *England*, or grant any Commissions to any Commissioners, Iudges, Sheriffs, Iustices of the Peace, or any other. That all the Commissions granted by them, under there new, or any other Seale, are meerly void and illegall; and all the new Writs and proceedings in Law or Equity before any Iudges, Iustices, Sheriffes, or other officers made by them, meerely void in Law to all intents. *& coram non judice.*

4. That the deniall of the KING's Title to the Crowne, and plotting the means to deprive him of it, or to set it upon anothers Head, is High Treason, within the statute of 25 *Edw.* 3. *ch.* 2. And that the endeavouring to subvert the Fundamentall Lawes, and

and Government of the Realme of *England* [by King, Lords, and Commons] and to introduce a tirannicall or arbitrary Government againſt Law, is High Treaſon at the Common Law (eſpecially in Judges and Lawyers) not taken away by any Statute. Both which Mr. *St. Iohn* in his Argument at Law, concerning the Bill of attainder of high Treaſon againſt *Tho.* Earle of *Strafford*, publiſhed by order of the Commons Houſe. *An.* 1641. *p.* 8. 14. to 33. & 64. to 78. and in his Speech at a conference of both Houſes of Parliament concerning Ship mony, *An.* 1640. hath proved very fully by many reaſons and preſidents ; and *Cooke* in his 7. *Report. f.* 10. 11. 12 & 3. *Inſtit. c* 1. That the Commons now ſitting, in making a new Great Seale, without the Kings Image or Style, in granting new illegall Commiſſions to Judges, Juſtices of Peace, Sheriffs, and other Officers in the name of *Cuſtodes Angliæ* in the generall, in omitting and altering the Kings Name, Stile and Title in Writs, Proceſſe, Indictments, and proceedings at the Common Law, and thereby indeavouring to diſ-inherit the *Prince*, (now *lawfull King* by and ſince his Fathers bloody murther) and to alter and ſubvert the Fundamentall Lawes and Government of the Realme, by ſuch Commiſſions and proceedings, and by the Power of an Army to enforce them ; and the Judges, Juſtices, Sheriffs, and other Officers who accept of ſuch Commiſſions, and all thoſe (eſpecially Lawyers) who voluntarily aſſiſt, conſent, and ſubmit to ſuch Commiſſions and Alterations by ſuch uſurped illegall Authority, and the Commiſſioners ſitting in the New Courts of Juſtice are moſt really guilty of both theſe High * Treaſons (in which there are no acceſſories) and leſſe excuſable then *Strafford* or *Canterbury*, whom ſome of theſe new Judges and ſitting Members impeached and proſecuted to death for thoſe very Treaſons themſelves now acting in a more apparent and higher degree then they, (and in reſpect of their Oathes, Covenant, Callings and Places) are more obliged to maintaine the Kings Title, the Fundamentall Lawes and Government, the Rights and Liberties of the Kingdome and Parliament then they ; and therefore (if they perſevere therein) may juſtly expect the ſelfe ſame capitall puniſhments they underwent, if not far worſe ; eſpecially ſince they attempt to reduce the *antienteſt Kingdome of all Chriſtendome*, into the *puniſt* and moſt *contemtable State* in all the World ;

* Whereupon ſix Judges refuſed to accept any new Commiſſions, or to act as Judges.

and thereby to render us the most *infamous*, *perfidious*, and *dishonorable Nation under Heaven*, both to the present and all succeeding Ages: which must needs make the Contrivers and Abetters thereof the most detestable Traytors and publique Enemies to their *King* and Native Country that ever this Realme brought forth in any Age. Repent therefore of these your treasons, and amend your lives, if you expect the least hope of pardon from God or Man; and expiate all your former *high misdemeanors*, by engaging all your power and endeavours to settle all things in Church and State according to your primitive engagements; instead of accumulating one sin and Treason to another, which wil prove your certain ruine in conclusion, not your safety.

110. Six Propositions of undoubted verity. Another Paper

About the same time, and (it is thought) from the same Author came forth a Paper bearing the Title of,

¶ *Six Propositions of undoubted verity, fit to be considered in our present exigency by all loyall Subjects and conscientious christians.*

Every Act of Parliament relateth to the first day of the same Parliam: but it cannot be that any Act passed in the Reigne of King CHARLS the Second should relate to the first day of this Parliament, which happened in the sixteenth year of CHARLS the First; *ergo*, this Parliament is determined by the death of King CHARLS the First.

1. THat this Parliament is *ipso facto* Dissolved by the King's death; He being the Head, Beginning and End of the Parliament, called only by his Writ, to Confer with Him as His Parliament and Councell about urgent affairs, concerning Him and His Kingome, and so was it resolved in 1 *Hen.* 4. *Rot. Parl. n.* 1, 14. *H.* 4. *Coke.* 4. *Instit. p.* 46. & 4 *c.* 4 *f.* 44. *b.*

2. That immediately upon this Parliaments dissolution by the Kings death, all Commissions granted by the King, or by one or both Houses to the Generall or Officers of the Army, the Commissioners of the Great Seale of England, Judges of the Kings Courts, Justices of Peace, Sheriffs, Excise-men, Customers, and the like; with all Committees, and Ordinances of one or both houses made this Parliament, did actually determine, expire, and become meerly void in Law to all intents and purposes, and cannot be Continued as good and valid by any power whatsoever.

3. That instantly after the Kings decease, the Imperiall Crowne

Crowne of this Realme of *England*, and of the Kingdoms, Dominions, and Rights thereunto belonging, was by inherent Birthright, and Lawfull undoubted succession and descent actually vested in the most Illustrious *Charles*, Prince of *Wales*, being next lineall Heire of the bloud Royall to his Father King *Charles*: and that He is actuall King thereof, before any Ceremony of Coronation, as is resolved in full Parliament, by the Statute of 1. *Iacobi, ch.* 1. and by all the Judges of *England* since. *Coke* 7. *Report. f.* 10. 11. in *Calvins* Case, Whose Royall Person and Title to the Crowne all loyall Subjects are bound by their Oaths of Supremacy, Allegiance, and Solemn League and Covenant, with their Estates, Lives, and last drop of their bloods to maintaine against all Opposers.

4. That all Peers of the Realme, Mayors, Sheriffs, chief Officers of Cities and Corporations in this Kingdome, are obliged by their Places and Allegiance, without any delayes or excuses, to declare and proclaime Prince *Charles* to be rightfull King of *England*, and of all Kingdomes and Rights thereunto belonging; notwithstanding any illegall prohibitions or menaces to the contrary by any usurped Power whatsoever; under paine of being guilty of High Treason, and forfeiting their City and Corporation Charters, in case of supine neglect or refusall thereof; through feare, terror, or any sinister respect.

5. That till King *Charles* be setled in his Throne, or give other Order, the present Government of the Kingdome is legally vested onely in the Lords and Peers of the Realme, being by Inheritance, Custome and Law in such case, the Kings and Kingdoms great Councell, to whose lawfull Commands all other Subjects ought to yeeld ready Obedience.

6. That every professed actuall endeavour by force or otherwise to alter the fundamentall Monarchicall Government, Laws, and legall Style and proceedings of this Realme; and to introduce any new Government or Arbitrary proceedings contrary thereunto, is no lesse than High Treason, and so declared and resolved by the last Parliament, in the Cases of *Strafford* and *Canterbury*, the losse of whose heads (yet fresh in memory) should deterre all others from pursuing their pernitious courses and out-stripping them therein; they being as great, potent, and as farre out of the reach

reach of danger and justice in humane probability as any of our present Grandees.

111 A New Stamp for Coyne.

That no Act of Rebellion and Treason might be unattempted by this Conventicle, no part of the Regalities of the King, or Peoples Liberties unviolated; they considered of a new Stamp to be given to all Coyne (for the future) of this Nation.

112 Instructions for the Councel of State.

13, *Feb.* They considered of instructions and power to be given by way of Commission to the said Committee, or Councell of State. 1. For the Government of the two Nations of *England* and *Ireland*; appointing a Committee to bring in the Names of those *Hogens Mogens*; and to perfect their instructions: for, [1] Ordering the Militia. [2] Governing the People, (they were wont to be Governed by known Lawes, not by arbitrary instructions, and by one King, not by forty Tirants, most of them base mechanecks, whose education never taught them to aspire to more knowledge then the Office of a Constable.) [3] Setling of trade. (most of them have driven a rich trade in the Worke of Reformation for themselves.) [4] Execution of Lawes, (this was wont to be done by legall sworne Iudges, Iuries, and Officers.

113 Powers given to the Councel of State.

14. *Febr.* The Committee reported to the House the Names of the Committee of State, or Lords States Generall. Also the Power they were to have, *viz.* 1. Power to command and settle the Militia of *England*, and *Ireland*. 2. Power to set forth ships, and such a considerable Navy as they should thinke fit. 3. Power to appoint Magazines and Stores for the Kingdomes of *England* and *Ireland*, and dispose of them from time to time for the service of both Nations, as they shall thinke fit. 4. Power to sit and execute the severall powers given for the space of one whole yeare; with many other powers not yet revealed, and dayly increased: besides what improvements of power they are able to make hereafter, having the Militia of an Army (that formidable Hob-goblin) at their Command. They have two Seales appointed, a Great Seale, and a Signet. Patents for Sheriffs, and Commissions for Iustices, and Oathes for both, were Reformed according to the Godly cut.

When

When the Committee of State was nominated in the House; divers Gentlemen of the best quality were named; whom they could not admit, because they had sate with them, and concurred in all their great debates: although they had more confidence in those petty fellowes, who had, or would sell their Soules for gaine, to make themselves Gentlemen, to debarre the said Gentlemen of quality therefore and make them forbeare, they invented an expurgatory Oath or *Shiboleth* to be taken by every Member before his initiation, whereby they should Declare, *That they approved of what the House of Commons and their High Court of Justice had done against the* KING, *and of their abolishing of Kingly Government, and of the House of Peers, and that the Legislative and Supreme Power was wholly in the House of Commons.* 22. Febr: *Cromwell* (Chairman of that Committee of State) reported to the Commons, *That according to the Order of that House, 19. of the said Members had subscribed to that forme of the Oath as it was originally penned: but 22 of them scrupled it, whereof all the Lords were part, not but that they confessed* (except one) *The Commons of* England *to be the Supreme power of the Nation, or that they would not live and die with them in what they shall doe for the future, but could not confirme what they had done in relation to the King and Lords*: so it was referred to a Committee to consider of an expedient.

114 An expurgatory Oath put upon the Councell of State; scrupled by some of the Members, and moderated by *Cromwell*, in opposition of the Levellers.

Cromwell (having made use of the Levellers (Assertors of publique Liberty) to purge the House of Commons, and abolish the Lords House) doth now endeavour to cast downe the Levellers once more, finding himselfe raised to so great a height, that he cannot endure to thinke of a levelling equality; he overswaies the Councell of Warre, over-awes the House of Commons, and is Chairman and Ring-leader of the Councell of State: so that he hath engrossed all the power of *England* into his owne hands, and is become the Triple King, or Lord Paramount over all the Tyrants of *England*; in opposition therefore to the Levelling

115 *Cromwels* usurped Power. When the House of Commons opposed *Cromwels* and *Iretons* designs, they cried up the Liberty of the People, and decried the Authority of Parliament, untill they had made use of the Levellers to purge the House of Commons, and make it subservient to their ends; and abolish the House of Lords: and then they cried up the Supreme Authority of their House of Commons, and decried the Liberty of the People, and the Levellers who upheld it. So *Charles* the 5. first made use of the Popes Authority to subdue the Protestants of *Germany*, and then used an Army of Protestants to subdue and imprison the Pope.

party, and for the upholding his own more Lordly Interest, he procured an expedient to alter and Reforme the said Oath, which at last passed in this form following:

February 22. 1648.

116. The forme of the said reformed Oath.

I A. B. *being nominated a Member of the Councell of State by this present Parliament, do testifie, that I doe adhere to this present Parliament, in the maintenance and defence of the publique liberty and freedom of this Nation as it is now Declared by this Parliament, (by whose Authority I am constituted a Member of the said Councell) and in the maintenance and defence of their resolutions concerning the setling of the Government of this Nation for the future, in way of a Republique without King or House of Peers, and I do promise in the sight of God, that (through his Grace) I will be faithfull in performance of the trust committed to me as aforesaid, and therein faithfully pursue the Instructions given to the said Councel by this present Parliament; and not reveal or disclose any thing in whole or in part, directly, or indirectly, that shall be debated or resolved upon in the Councell, without the command or direction of the Parliament, or without the order or allowance of the major part of the Councel or of the major part of them that shall be present at such Debates or resolutions: In confirmation of the premises, I have hereto subscribed my Name.*

Here you see a curtaine drawn between the eys of the people & the clandestine machinations & actings of this Councell.

117 The Councell of warr debate to massacre the *Kings party*. See *Will: Sedgwicks* [*Iustice upon the Armies Remonstrance.*]

About this time it was debated at the Councell of Warre *to Massacre and put to the Sword all the* KINGS *Party*. The Question put was carried in the Negative but by two Voices. You see what Furies pursue these sinfull wretches, and what dangerous rocks they dash upon, in order to that base and cowardly principle of *Self preservation*.

118. Schismaticall Petitions for 2 or 3 principall Gentlemen in each County to be brought to Justice.

The Army hath in every County of *England* packs of schismaticall Beagles whom they hollow on to hunt in full cry (by Petitions to the House) after the bloud of such whom they design for slaughter. Many Petitions have been lately presented, *That two or three principall Gentlemen of the* KING'S *Party (by name) in each County, might be sacrificed to Justice, whereby the Land might be free from bloud-guiltinesse.*

Divers

119. Merchants arming ships for this Summers Fleet.

Divers Merchants have contracted to send forth severall Ships for the next summers Fleet at their owne charge.

120 The High Court of Justice revived.

The prodigious High Court of Justice was revived in order to the Triall of the Earl of *Holland*, the Earl of *Cambridge*, the Earl of *Norwich*, the Lord *Capel*, and Sir *John Owens*; the Commissioners were changed (that they may engage as many men in arbitrary, illegall tyranny and bloudshed as they can.)

121 The History of *Hamiltons* imprisonment and death. See *digitus dei* upon Duke *Hamilton*.

Hamilton was exceedingly importuned by *Cromwell* (who took a journey to *Windsor* purposely) *to name such Members of Parliament and Citizens as had any hand in calling him in*: this he either could not, or would not doe; he had (in order to his own ambition) first exasperated the Independent party against the KING, and afterwards sought their ruine by engaging for the KING: and he doubted that to undertake so odious an office as to play the Devils part, and be an Accuser of his Brethren, would but set a glosse upon the Independents intended severity against him. Being brought to *St. James's* in order to his Tryall, *Cromwell* (hoping to traine him to a confession) caused all his Creatures to carry a favourable countenance to him. *Bradshaw* smoothed him up with soft language at the Barre; the Lord *Gray* of *Grooby*, Col: *Wayte*, and *Hugh Peters*, gave him hopes that they would not much obstruct his pretended Plea of Quarter from *Lambert* upon Articles, *Peters* avouched Quarter so given by *Lambert*; notwithstanding Colonell *Wayte* (when he made Report to the House of Commons how he took him) affirmed *He yeilded at discretion, and* Lambert *was not then near him*; after this *Peters* gives *Hamilton* a Visit, who gives *Peters* thanks and money to boot for his late favour done him in court; and knowing him to be an Instrument of *Cromwells*, imployed him as his solicitor to the Members of the House and Army. *Peters* prayes for *Hamilton* openly as his *Lord* and *Patron*, still feeding him with hopes, *If he would Impeach their Opposites*: yet still he waved this, offering them 100000l. for his life, and often inculcating what services he would do them in *Scotland*, for which purpose he offered to joyn interests with *Argyle*, & be a servant to their party. Messengers were posted into *Scotland* to know *Argyles* pleasure; But he had been over-reached formerly by *Hamilton*, & he was resolved to admit no competitor, which would have eclipsed his greatnesse,

Quære, What an accusation extorted for fear of death and hope of life is worth? Hamilton confessed at his death he had been much pressed, yet had named no man. *Argyle.*

neſſe, and have made him the ſole Patron of Scotiſh independency: Beſides, the Kirke ſo farre hated *Hamilton* that they preached of his head in *Scotland*, before it was cut off in *England*: the High Court of Juſtice lingered long in expectation of an Anſwer; at laſt ſuch a one came as decried all reconciliation with *Hamilton*; whereupon the ſcene was altered preſently, *Bradſhaw* handled him roughly at the Bar, *Mar.* 6. Thoſe which ſmiled on him before, frowned now; being asked *what he could ſay?* he pleaded Quatter, and vouched *Peters* Teſtimony: who with a brazen face renounced his former Teſtimony, ſaying, *He now remembred no ſuch matter, but that the Army ſcorned to give Quarter to him, or any of his Nation*: whereupon, he was condemned to the Block; which Sentence was executed upon him *March* 9. yet they fed Hamilton, with vaine hopes to the laſt gaſp, for feare he ſhould give glory to God, and throw ſhame and infamy upon themſelves by a Chriſtian confeſſion of his, *Argyles*, and their mutuall vilanies: beſides, ſuch a diſcovery would have made *Argyle* leſſe ſerviceable to them in *Scotland*, whoſe next deſigne is to cajole the Kirk by ſeeming an enemy to the ſectaries of *England*, and pretending to ſerve the Presbyterian Intereſt. Thus I conclude the Tragedy of Duke *Hamilton*.

When *Hamilton* was upon the Scaffold, divers officers of the Army, and *Hugh Peters* converſed familiarly with him, to the laſt; and Meſſengers paſſed to & fro.

122 The Death of the Ld. *Capell.*

In oppoſition to whom, I will briefly relate the Tragedy of the noble *Lord Capell*, a Gentleman of great courage and integrity. He made an adventurous eſcape out of the *Tower*, but was retaken by the Treachery of a Limping Water-man, (If I knew his Name I would beſtow a blot of Inke upon him.) He pleaded for himſelfe *Articles of Surrender* (which were reall in him, though not in *Hamilton*) *that divers that were in* Colcheſter, *and in his condition, had been admitted to Compound*; and *deſired to be referred to Marſhall Law*, which being denied, he moved, *he might not be debarred of additionall defence; if He muſt bee judged by the Common Law, then he demanded the full beneſit of that Declaration of the Commons* 19. Feb. 1648. which Enacteth & Declareth, *That though King and Lords be laid aſide, yet all other the fundamental Lawes ſhall be in force concerning the lives, liberties and properties of the Subject*: and recommended to them *Magna Charta*, *The Petition of right*, 3. *Caroli.* and the Act made *H.* 7. *for indempnity of all ſuch as adhered to the preſent King in poſſeſſion*: alſo

also the acception in the Act of Attainder of *Strafford* and *Canterbury*, which saies, *Their Cases shall not be used as a precedent against any man*: He desired to see his Jury, and that they might see him, and so might be Tried by his Peers, saying, *He did believe no Precedent could be given of any Subject Tried, but by Bill of Attainder in Parliament, or by a Jury.* But all was but to charm a deaf Adder. He was a gallant Gentleman, and they durst not let him live.

123 The Kings Library at Saint *James's* given to *Hugh Peters*

The King's Library at St. *James's* was given (I heare) to that ignorant Stage player *Hugh Peters.*

124 L.C. *Lylburns* Petition to the House, with *Englands new Chains*, annexed. See the hunting the Foxes, &c. p. 8.

26. *Febr. John Lylborne* delivered to the Commons (by the name of *the Supreme Authority of* England) *A Petition in the name of many thousand wel-affected*, with a Book annexed, entituled, *Englands new Chains discovered.* The most materiall points thereof are, that they find fault with *The Agreement of the People*, presented to the House by Lieut. Gen. *Hammond*, from the Officers of the Army: becaus

1. *They like not there should be any intervalls between the end of this Representative now sitting, & the beginning of the next, whereby during the said intervall the Supreme* Power *will be left in the new erected Councell of State, a constitution of a new and unexperienced nature, which may design to perpetuate their power, and keep off Parliaments and Representatives for ever*

2. *They conceive no lesse danger in that it is provided that Parliaments for the future, are to continue but 6. Months, and the Councell of State* 18. *Months; in which time having Command of all the forces by Sea and Land, they will have great opportunities to make themselves absolute and unaccomntable*

3. *They are not satisfied with that Clause in the said Agreement*, That the Representative shall extend to the erecting and abolishing Courts of Justice; *Since the alteration of the usuall way of Tryall by* 12 *sworne Men of the Neighbourhood may be excluded therein, as hath lately been done by erecting a new High Court of Justice criminall under a President & Commissioners or Tryers picked and chosen in an unusuall way, all liberty of exceptions against them being overruled.*

4. *They are not satisfied with that Clause in the Agreement*, That the Representative have the highest finall Judgment; *since*

their Authority is onely to make Generall Lawes, Rules and Directions for Courts, and Persons assigned by Law to execute them, unto which the Representatives themselves are to be subject, it being a great partiality and vexation to the People, that the Law-makers should be Law executors.

5. *They find faults with the Excise, calling it,* the great obstructor of all Trade, farre surmounting Ship-money, and all Patents, Projects, and Monopolies before this Parliament.

6. *The Act for pressing of Sea-men.*

7. *The Generall and Officers obstructing the Presse.*

8. *The Chauncery and Courts of Iustice not regulated.*

9. *They complaine that a Councell of State is hastily chosen as Guardians of the Peoples liberties, with a vast and exorbitant power.* 1, *To command, order, and dispose of all Forces by Sea and Land, and all Magazines of Store in* England *&* Ireland. 2. *To dispose all Publique Treasure.* 3. *To command any Person whatsoever before them, to give Oath for discovery of Truth.* 4. *To Imprison any that shall disobey their Commands, and such as they shall judge contumacious*: what now is become of *Magna Charta*, and the Liberties of the People, *That no Mans Person shall be Attached or imprisoned or Disseised of his Free-hold or Free-customes but by Lawfull Iudgement of his Equalls*? This Councell of State hath got all Power into their hands (a project long laboured) and now their next motion will be (*pretending ease to the People*) to Dissolve this Parliament.

Hunting the Foxes *p.*8. says it was *Ireton's* invention.

10. *The Petitioners complaine, that in order to settle their Tyranny, the Councell of Officers insisted upon it,* That a motion should be made to the House of Commons, to enable them to put to death by Marriall Law all such as they shall judge by Petitions or otherwise to disturbe the present proceedings, whether Members of the Army, or no. And when it was urged, *That the Civill Magistrate should doe it*: it was answered, * *They could hang twenty ere the Magistrate could hang one.* The prayer of their Petition is:

* The saying of Col. *Hewson* the one-eyed Cobler, See Hunting the Foxes, p. 10

2. *That the Self-denying Ordinance be observed.*

2. *That they would consider how dangerous it is, to continue the Highest Military Commands so long in the same Persons, especially acting so long distinct, and of themselves, as those now in being have done*

done, and in such extraordinary wayes, whereunto they have accustomed themselves, which was the originall of most Tyrannies.

3. *That they would appoint a Committee of Parliament-men, to hear and determine all controversies between Officers and Officers, Officers and Souldiers: To mitigate the rigour of Martial Law, and to provide it be not executed upon any, not Members of the Army.*

4. *That they will open the Presses.*

5. *That they will dissolve this Councel of State, threatning so manifest Tyranny.*

6. *That they will severely punish al such as acting upon any Order, Ordinance, or Act of Parliament, shal exceed the power conferred on them.*

125. A second part of Englands New Chains

After this, came forth *a second part of* Englands *new Chaines discovered*, setting forth the hypocrisie and perfidiousnesse of the Councell of the Army and the Grandees, in cheating all Interests, King, Parliament, People, Souldiers, City, Agitators, Levellers, &c. which tells you, *That the Grandees walke by no principles of honesty or Conscience*, but (as mere Politicians) are governed altogether by occasion as they see a possibility of making progresse to their Designes; which course of theirs they ever termed, A waiting upon Providence, that under colour of Religion they might deceive the more securely. It tells you, their intent is to Garrison all great Towns, to break the spirits of the People with oppression and poverty, It farther Declares, that these Grandees judge themselves loose when other men are bound, all Obligations are to them Transitory and Ceremoniall, and that every thing is good and just as it conduceth to their Interests. That the Grandees never intended an Agreement of the People, but onely to amuse that party, whilst they hastily set up a Councell of State to establish their tyranny; that to prepare the way to this, they broke the House of Commons, tooke away the House of Lords, removed the King by an extrajudiciall way of proceedings, and erected such a Court of Justice as had no place in the English Government. That the remainder of the House of Commons is become a meer channell through which is conveyed all the Decrees and Determinations of a private Councell of some few Officers. All these, and the Votes, *That the Supreme Power is in the People, & the supreme Authority in the Commons*

their

their Representative, were only in order to their Interest of will and Power. That they place their security in the divisions of the People. That if the present House of Commons should never so little crosse the ambition of these Grandees, they would shew no more modesty to them then they have done to the excluded Members: And so it concludes with a Protestation against their breaking the Faith of the Army with all Parties, their dissolving the Councell of Agitators, and usurping a power of giving forth the sense of the Army against the Parliament and People, against their *shooting to death the Souldier at Ware*, and their cruelties exercised upon other Persons, to the debasing of their Spirits, and thereby new moulding the Army to their Designes: against their playing fast and loose with the King and his party, till they had brought a new and dangerous Warre upon this Nation. They also protest against their dissembled Repentances, against their late extraordinary proceedings in bringing the Army upon the City, (to the ruine of Trade) their breaking the House of Commons in pieces, without charging the Members particularly, and then judging and taking away mens lives in an extraordinary way; as done for no other end but to make way for their own absolute Dominion. They also protest against the Election and establishment of those High Courts of Justice, as unjust in themselves, and of dangerous Precedent in time to come; as likewise against the Councell of State, and putting some of themselves therein, contrary to their own Agreement. They also protest against all other the like meetings of those Officers, that on Thursday 2. *Feb.* Voted for so bloody a Law, as to hang whom they should judge disturbed the Army, as having no power either by such Councells to give the sense of the Army, or to judge any person not of the Army, or to do any thing in reference to the Common-wealth.

See the Hunting of the Foxes, &c. p. 6. 7. 8.

Return to sect. 2. & 5.

126 The Hunting of the Foxes from *Triplo* & *Newmarket* by 5. small Beagles, p. 8.

About this time also became publique a pretty Booke, entituled [*The Hunting of the Foxes from New-Market and Triploe to White-hall by* 5. *small Beagles*] which tells you, That the Grandee Officers of the Army to keepe the Souldiers quiet, did formalize about an Agreement of the People whilst they carried on their platforme of absolute Tyranny (long since hatched by *Ireton*) by erecting a Councell of State; no sooner was this monster borne,

borne, but it devoured halfe the Parliament of *England*, and now it is adorning it selfe with Royall Magnificence, and Majesty of courtly Attendants, and like the thirty Tyrants of *Athens*, to head it selfe over the People; this is, and yet this is not our new intended King, there is a King to succeed, this is but his Viceroy. O *Cromwell*! whither art thou aspiring? the word is already given out amongst their Officers, *That this Nation must have one prime Magistrate or Ruler over them, and that the Generall hath power to make a Law to bind all the Commons of England*: this was most daringly and desperately avowed at *White hall*, and to this temper these Court Officers are now a moulding: he that runs may read and fore-see a new Regality, thus by their Machiavilian pretences and wicked practises, they are become Masters and Usurpers of the name of the Army, and of the name of the Parliament, under which Visors they have levelled and destroyed all the Authority of this Nation; for, the Parliament in deede and in truth is no Parliament, but a Representative Glasse of the Councell of Warre; and the Councell of Warre but a Representative of *Cromwell*, *Ireton*, and *Harrison*: and these are the *All in All of the Nation*, which under the guises and names of Parliament, Army, Generall Councell, High Court, and Councell of State, play all the strange pranks that are played. And further, *p.* 13. The conclave of Officers have sucked in the venome of all former corrupt Courts and interest, the *High Commission*, *Starre Chamber*, *the House of Lords*, *the King and his privy Councell* are all alive in that Court called, *The Generall Councell of the Army*. 1. The *King* stood upon it, *That He was accountable to none but God, that He was above the Parliament and People*; and to whom will these men be accountable? to none on Earth: and are they not above the Parliament? they have even a Negative Voice thereover, formerly the Commons could passe nothing without the House of Lords, and now they dare passe nothing without the concurrence of the conclave of Officers: we were formerly ruled by *King*, *Lords*, *and Commons*; now by a *Generall*, *Court Martiall*, *and House of Commons*: what is the difference? the Lords were

The House by Vote, 5. *Dec.* 1648. Voted, *the King's concessions a ground, &c.* And the Army secured and expelled 250. Members for using liberty to vote according to their consciences, and over-ruled those few they left sitting to unvote in a thin House, what was voted in a full House; this is more then to usurpe a Negative Voice over them, returne to sect. 18. 23. 28.

not Members both of the House of Peers, and of the House of Commons; but the Officers, (our martiall Lords) are Members both in the House, or Councell of Officers, and in the House of Commons, we have not the change of a Kingdome to a Common-wealth; we are only under the old cheat, *A transmutation of Names*, but with the addition of *new Tyrannies*, for casting out *one uncleane Spirit, they have brought with them in his stead seven other unclean Spirits more wicked than the former, and they have entred in and dwell there, and the last state of this Common-wealth is worse than the first.* Lastly, they set downe *some illegall proceedings and Examinations before the Councell of Warre, exceeding the High Commission, and Starre-Chamber.*

127 The Authors censure of the Levellers.

These three Books shew the late endeavours of the *Agitators*, and that *party* which the *Grandees* Politickly mis-call (to cast an *odium* upon them) *Levellers*; they are the truest Assertors of *humane liberty*, and the most constant and faithfull to their Principles, and party of any in the Army; and though they have many redundancies and superfluous Opinions fit to be pruned off by conversing with discreet honest Men, or rather by a discreet and just publique Authority, (which I am confident is feasible, since *their principles* concenter in the publique, not in their owne private Interests and Opinions, and are no otherwaies changeable than conduceth with the emergent occasions of the Common-wealth) yet they are but like the water boughs of a healthy fruit Tree, rather troublesome than dangerous, whereas the designes of their Antagonists (like rocks under water, or poyson in well-cooked meat) destroy before they are discovered.

128. The Authors censure of His Majesties *Posthumus* worke, entituled, [*The Pourtraicture of His Sacred Majesty in his Solitudes and Sufferings.*

About this time arose a Phœnix out of *His Majesties* Ashes, that most excellent Issue of His Brayne, Entituled, [THE POURTRAICTVRE OF *HIS SACRED MAJESTY* IN HIS SOLITUDES AND SUFFERINGS.] A Book full fraught with *Wisdome, Divine and Humane*, shewing him to be *more than Conquerour* of His Enemies in His rare *Christian patience and charity*; the very reading of it *aggravateth our losse* of so Gracious and excellent a Prince, that had learned the whole method of humane perfection in the school of adversity. *Herod* and his *Iewes* never persecuted Christ in his swadling-clouts with more industrious malice, then the Antimonarchicall Independent Faction, this.

this Book in the Presses and Shops that should bring it forth into the world, knowing that as the *remembrance of Heaven strikes a horror into us of Hell*, So *the contemplation of his virtues will teach us to abhor their vices.*

129. The forme of Writs for Elections changed.

March 8. 1648. The Commons assented to a *new Form* of a *Writ* for *election of Knights and Burgesses for the Parliament.*

130. A new establishment for the army reported to the House from our new Masters the councell of state.

But three dayes before it was reported to the House from the Councell of State, what number of Horse and Foot they thought fit to be kept up for the service of *England* and *Ireland*, and the Monthly charge, which estimated comes to 160000l. *per mensem* You see we are likely to finde these our new Lords such gracious Masters to us, that (*as the second part of Englands new Chaines* saith) *We shal have Taxes, though we have neither Trade nor Bread.* In the Earle of *Essex time* (when the Warre was at the highest) the Monthly Tax came but to 54000 l. a Month, yet had we then seven or eight Brigades besides his Army and Garrisons: But that the Faction of Saints may carry on the worke of a thorow Reformation in our Purses, as well as they have done in the Church and Common-wealth, they first raised the Tax to 60000 l. a Month for *England*, besides 20000l. a Month pretended for *Ireland* (but I believe little of it slips through their sanctified fingers to go thither.) And now (to shew they can use double dealing against the Ungodly) they would double the summe from 80000 l. to 160000 l. a Month; this is to break our hearts with poverty, and make them take what impressions of slavery they please to set upon them; this Conventicle of State will engrosse all the Coyne and Treasure of the Land into their owne hands, and then subdue us therewith, and make us (like slavish *Ægiptians*) *sell our Selves and our Lands for Bread, or money to buy Bread*, when (that inseparable companion of a long Warre) *Famine* approacheth, which their barbarous and illegall Sequestrations (unstocking mens Farmes and laying them waste) will inevitably bring upon us; they have more hope to subdue and lessen the number of their Opposites *by famine and want, than by the sword*; in Order to which, they have destroyed the Trade of the City, and undone multitudes of Trades-men, who being disabled to pay their Taxes, the Army cause all their Arreares to be leavied upon the City by a new Tax upon the rest of the Inhabitants and the Out-

landlords; and when *Cromwell* was told, *this would undoe the City*, He answered, *It was no matter, the more were undone, the more would clap Swords to their sides and come in to the Army*: you see Souldiery is intended to be the chiefe trade.

131 An Act for Abolishing the Kingly offices, &c.

March 17. 1648 The empty House of Commons in farther prosecution of their said designe, and to please their Masters of the Army, passed, printed, and published in the forme and style of a Statute this paper following: entituled,

An Act for the Abolishing the Kingly Office *in* England, Ireland, *and the Dominions thereto belonging.*

Since by the law, the Crown cures all defects; how can the Kings bloud be attainted.

WHereas Charles Stuart *late King of* England, Ireland, *and the Territories and Dominions thereunto belonging, hath by Authority derived from Parliament, been, and is now declared to be justly condemned, adjudged to die and put to death, for many Treasons, Murthers, and other haynous offences committed by him, by which judgment he stood and is hereby declared to be attainted of High Treason, whereby his Issue and Posterity, and all others pretending Title under him, are become uncapable of the said Crowns, or of being King or Queene of the said Kingdome or Dominions, or either or any of them:*

We have sworn faith and allegiance to K. *Charls* the First, His lawfull Heyres and Successors, and our Vow is recorded in Heaven, from which no power on earth can absolve us. See the Oathes of Allegiance, Obedience, and Supremacy.

Be it therfore Enacted and Ordained, and it is Enacted, Ordained and Declared, by this present Parliament, and by Authority thereof, That all the People of England and Ireland, *and the Dominions and Territories thereunto belonging, of what degree or condition soever, are discharged of all Fealty, Hommage and Allegiance which is or shall be pretended to be due unto any of the Issue and Posterity of the said late King, or any claiming under him; and that* Charles Stuart *eldest Sonne, and* Iames *called* Duke of Yorke, *second Sonne, and all other the Issue and Posterity of him the said late King, and all and every person and persons pretending Title from, by, or under him, are and be disabled to hold or enjoy the said Crown of* England *and* Ireland, *and other the Dominions thereunto belonging, or any of them; or to have the Name, Title, Stile or*

The Statute of Recognition, 1 *Iac.* but the Commons are now so Supreme, as in imitation of the Pope to bring this clause in practice, *Licet de jure non possimus, tamen pro plenitudine protestatis nostre volumus, &c.*

Dignity,

Dignity of King or Queene of England *and* Ireland, *Prince of* Wales, *or any of them; or to have and enjoy the power and Dominion of the said Kingdomes and Dominions, or any of them, or the Honours, Manors, Lands, Tenements, Possessions, and Hereditaments belonging or appertaining to the said Crowne of* England *and* Ireland, *and other the Dominions aforesaid, or to any of them; or to the principality of* Wales, Dutchy of Lancaster *or* Cornwall, *or any or either of them, any Law, Statute, Ordinance, Usage or Customs to the contrary hereof in any wise notwithstanding: And whereas it is and hath been found by experience, that the Office of a King in this Nation and Ireland, and to have the power thereof in any single Person, is unnecessary, burthensome and dangerous to the liberty, safety and Publique interest of the People, an that for the most part, use hath been made of the Regall power and prerogative, to oppresse, impoverish and enslave the Subject; and that usually and naturally any one Person in such power, makes it his interest to encroach upon the just freedom and Liberty of the People, and to promote the setting up of their own will and power above the Lawes, that so they might enslave these Kingdomes to their owne lusts: * Be it therefore enacted and Ordained by this present Parliament, and by authority of the same, That the Office of a King in this Nation, shall not hence forth reside in, or be exercised by any one single person; and that no one Person whatsoever, shall, or may have, or hold the Office, Stile, Dignity, Power or Authority of King of the said Kingdoms and Dominions, or any of them, or of the Prince of Wales, Any Law, Statute, Usage or Customs to the contrary thereof in any wise notwithstanding. And it is hereby Enacted, That if any person or persons shall endeavour to attempt by force of Armes, or otherwise, or be ayding, assisting, comforting or abetting, unto any person or persons that shall by any waies or means whatsoever, endeavour or attempt the reviving or setting up againe of any pretended Right of the said* Charles, *eldest sonne to the late King,* Iames *called* Duke of Yorke, *or of any other the Issue and Posterity of the said late King, or of any person or persons claiming under him or them, to the said Regall Office, Stile, Dignity, or Authority, or to be Prince of* Wales; *or the promoting of any one person whatsoever, to the Name, Stile, Dignity, Power, Prerogative or Authority, of King of* England *and* Ireland, *and Dominions as aforesaid.*

All our Lawes cut off by the *non obstante* of the 8th. part of the House of Commons sitting under a force.

After almost 1000 years experience it now found to be dangerous.

The English were never one half-quarter so much enslaved since *William* the *Conquerour* subdued them, as they have been since *Oliver* the Brewer subjugated them.

* But in a Councell of State of forty Tyrants sitting under the protection and awe of *Olivers*

foresaid, or any of them; That then every such offence shall be deemed and adjudged High Treason, *and the Offenders therein, their Councellors, Procurers, Aydors and Abettors being convicted of the said Offence, or any of them, shall be deemed and adjudged Traytors against the Parliament and People of* England, *and shall suffer, lose and forfeit, and have such like and the same paines, forfeitures, judgments and execution, as is used in case of High Treason: And whereas by the abolition of the Kingly Office provided for in this act, a most happy way is made for this Nation (if God see it good) to returne to its just and ancient right* of being Governed by its owne Representatives or Nationall meetings in Councell *, *from time to time chosen and entrusted for that purpose by the People; It is therefore Resolved and Declared by the Commons assembled in Parliament, that they will put* a period to the sitting of this present Parliament, *and dissolve the same soone as may possibly stand with the safety of the people that hath betrusted them, and with what is absolutely necessary for the preserving and upholding the Government now setled in the way of a Common-wealth; and that they will carefully provide for the certain chusing, meeting and sitting of the next and future Representatives, with such other circumstances of freedom in choice and equality in distribution of Members to be elected thereunto, as shall most conduce to the lasting freedom and good of this Common wealth: And it is hereby further Enacted and Declared, notwithstanding any thing contained in this Act, no person or persons of what condition and quality soever, within the Commonwealth of* England *and* Ireland, *Dominion of* Wales, *the Islands of* Guernsay *and* Jersey, *and Town of Berwick upon* Tweed, *shall be* discharged from the obedience and subjection *which he and they owe to the Government of this Nation, as it is now Declard, but all and every of them shall in all things render and perform the same, as of right is due unto the Supreme Authority hereby declared to reside in this and the Successive Representatives of the People of this Nation, and in them onely.*

High Treason is what these Legislative Thieves list to make it, an Arbitrary crime, notwithstanding the Stat. 25 *Ed.* 3 for limiting and ascertaining of Treasons, for security of the People. *Tyberius* and *Nero's* daies are fallen upon us; of which *Tacitus Ingens crimen divitiæ, & complementum omnium accusationum, læsa majestas.*

* When was *England* governed by their owne Representative? or had any other regiment then Kings? But what the Legislative Conventicle declares, we must beleive though contrary to our knowledge. They will lead our faith and reason in a string, or have our necks in a halter. A period to this Parliament and leave the Supreme power in the Councell of State, a designe long since attempted. See 1. and 2. part of *Englands New chaines*, and the *Hunting of the Foxes*. No obedience is due by Law to them, which takes no notice of this form of Government.

About

About the same time they passed another Act, for abolishing the House of Peers, to this purpose.

132. An Act for Abolishing the House of Peers.

THE Commons of England *assembled in Parliament, finding by too long experience that the House of Lords is useless and dangerous to the People of* England *to be continued, have thought fit to Ordaine and Enact, and be it ordained and Enacted by this present Parliament, and by the Authority of the same, That from henceforth the House of Lords in Parliament shall be, and is hereby wholly abolished and taken away & that the Lords shal not from henceforth meet, or sit in the said House called* the Lords House, *or in any other House or place whatsoever, as a House of Lords; nor shall sit, vote, advise adjudge, or determine of any mater or thing whatsoever as a House of Lords in Parliament. Nevertheless it is hereby Declared, That neither such Lords as have demeaned themselves with honour, courage, fidelity to the Common-Wealth, nor their Posterities who shal so continue, shall be excluded from the publique Councels of the Nation, but shall be admitted thereunto, and have their free vote in Parliament if they shall be therunto elected, as other Persons of interest elected and qualified thereunto ought to have: And be it farther Ordained and Enacted, by the Authority aforesaid, that no Peer of this Land not being elected, qualified, & sitting in Parliament, as aforesaid shall clayme, have, or make use of any Priviledg of Parliament, either in relation to his person, quality or estate, any Lawes, Usage or Custome to the contrary notwithstanding.*

More New lights, new discoveries made by forty or fifty *Ignes fatui* gross fiery meteors, remaining in the House of Commons

I And to lessen the amazement of the People, the same day they passed and Ordered to be printed a Booke, called, [*A Declaration of the Parliament of* England; *expressing the grounds of their late proceedings, and of setling the present Government in the way of a Free-state*:] when they formerly passed the 4. Votes for *no more Addresses* to our late King, they seconded it with a Declaration to shew the Reasons of those Votes wherein they set forth no new matter but what they had formerly in parcels objected against Him; and yet they have since that time made Addresses to Him, and both taken and caused others to take the Oaths of Allegiance and Supremacy, and the Protestation & Covenant *to defend His Person and Authority, &c.* And in this Declaration there is no new objection of moment, but what is conteined in the former Declaration

*133. A Declaration of the Commons, to shew the Reasons of their said proceedings. The state is Free, but the People Slaves; as a Galley is free, but the Rowers slaves. 1. par. f. 72, 73.

Declaration againſt Him; and as I looked upon the *firſt* Declaration as *Prologue*, ſo I looked upon this *laſt* as the *Epilogue to His Majeſties Tragedy*. The whole matter of charge in both of them hath been ſufficiently anſwered in ſeverall Books, and either confuted or juſtified, to which I referre the Reader; whom I will only trouble with ſome few ſhort obſervations of my own upon it: (*p.5.*) The parliament (in Imitation of the Maſters, the Councell of Officers) pretend *a neceſſity to change the fundamentall Government into a Free-State, to prevent Tyranny, injuſtice, and War, &c.* (I doubt rather to promote them.) It affirmeth, (*pag.* 15. 16.) *That Offices of Inheritance are forfeited by breach of truſt*; (a condition annexed to every Office) and ſeems to imply as much of the *Kingly Office*: but this Pen-man had forgot, that by the Law the *Crown takes away all defects*, and the *King being Supreme Head and Governour over all Perſons, and in all Cauſes*, it were abſurd to make him accountable to any Authority; for in ſuch caſe, that Authority would be Supreme to him, and ſo erect two Supreams one jarring and interferring with the other, which in Law and Policy is as abſurd as to ſuppoſe two Almighties or Infinites in Divinity, which cannot be, for that one Infinity would terminate another: *Impoſſibile eſſe plura Infinite quoniam alterum eſſet In altero finitum*, ſaith *Cuſanus*. (*pag.* 16.) the Declarers play the Orators in behalfe of the felicity of Government by *Free-States*, rather then by *Kings and Princes*. This is a ſpacious field to walke in, I will only cite ſome learned Authors living in Republiques of a contrary opinion, and ſend my Readers to them for their Arguments. It applauds the *Proſperity* and good *Government* of the *Switz*: which (I thinke was never commended before) a groſſe-witted People, living in a confuſed way of Government, where virtue and induſtry find no reward, the Rich become a dayly pray to the Poore, and their populer Tribunes, who uphold their credits by calumniating the wealthy, and confiſcating (or ſequeſtring) their Eſtates, the beſt wealth of this Nation is Penſions for Neighbour Princes, to whom they let their Bloud to Hire, and become Mercinaries many times to the extreame dammage and (if their Country were worth ſubduing) danger of the State. For *Venice* it is an *Ariſtocracy* (if not *Oligarchy*) of many petty Kings, ſo burthenſome to all their Subjects upon *Terra firma*, that they dare not truſt them without *Citadals*

See theſe books [*A full anſwer to an infamous Pamphlet, intituled, A Decl. of the Commons of* England.] [*The Charge againſt the King diſcharged.*] *The Royall and Royaliſts Plea*] [*King* Charles *vindicated &c.* And His Maj. laſt Book, or *Pourtraicture.* And *His Maj; gracious meſſages for Peace.* See *Greg. Tholoſanus l.pol.1 Keckerin: Siſtema pol.l.1. Contzenii. l.politic. 1.2.cap.17.2d.c 25.* and many good Authors quoted by him. *Mœcenatis orationem ad Auguſtem, apud Dionem caſſium.*

Citadals to keepe them under; they never confide in any of their number or Natives to be commander in Chief of their Land Forces fearing to be tyrannized over by a *Cromwell* or an *Ireton*, or by ſome property ſubordinate to them in all but Title. The *Morlachy*, and many inhabitants of *Dalmatia*, and *Candia*, have lately preferred the *Turkiſh Government* before theirs. As for the *Low Countries*, (their needleſſe example) peruſe *Barnavelt's Apology*, and many good Hiſtories. For *Rome*, from their *Regiſugium*, they were never free from civill Warres, conceſſions Tumults, and changes of Government; firſt to Patritian Conſuls, *Regia poteſtate*; then to promiſcuous Conſulls (*Plebeyans* as well as *patritians*) with populer Tribunes to controule them; then to *Decemviri legibus Scribendis*; then to *Tribuni militares conſulari poteſtate*, Dictators upon all ſpeciall occaſions, ſometimes an *Ariſtocracy*, ſometimes a *Democracy*, between two Factions *Patritian* and *Plebeyan*. And never could that unhappy Idoll of the multitude [*Liberty*] find any time of ſetled reſt and Government untill their giddy Republique was overthrown by *Julius Cæſar*, and turned into a *Monarchy* by *Auguſtus*, which approved *Cratippus* ſaying, *Vitioſum Reipub: ſtatum exigere Monarchiam*; and then (and not till then) *Rome* came to his height of Glory and Dominion, and continued ſo a long time, ſometimes empayred by the vices of ſome Emperors, and ſometimes repaired by the virtues of others: he that reads *Livy* and *Tully's* Orations, with many other Authors: ſhall find how infinite corrupt the People were, both in making and executing Lawes, indiſpenſing juſtice both Diſtributive and Commutative; what complaints, that their *comitia* were *venalia*; what Bulworks they were faine to erect againſt the ambiſſion and covetouſneſſe of their great men; *Leges Ambitus*, *leges Repetundarum*, *peculatus*; all to no purpoſe: the great abuſe of Solicitors and Vndertakers to every Tribe to contracte, for ſuffrages: the Domeſtick uſe of their *Nomenclators*, their Prehenſations, Invitations, Clientſhips; their kiſſings and ſhaking hands (even from the greareſt Parſonages) proſtituted to every Cobler and Tinker; their Coſtly publique Shewes and ſpectacles to woe the Rabble; he that reads obſervingly ſhall find that *ambition* and *covetouſneſſe* (nurſes of all corruption) were the beſt part of the Wiſdome and induſtry of the *Republique*

See ſome Authorities cited *verbatim* in the firſt page.

ſublique untill it came to be a *Monarchy*, and ſhall farther find, that thoſe corrupt manners and cuſtomes which the People (from the higheſt to the loweſt) had contracted during the ſeverall licentious Alterations of their Common-wealth, from one forme of Republique to another: were (like a ſecond nature) not to be corrected by the better diſcipline of a Monarchy, and (at laſt) occaſioned the ruine of that *Monarchy*, together with the deſolation of that Nation, which ſhewes, *that Monarchy* (with which their Nation began) *was their naturall and genuine Government*, when it could not be taken away *ſine interritu ſubjecti*, without the ruine of the whole ſubject matter. (p. 11.) It is ſaid, *It hath been lately computed, that the Court purveyances* (notwithſtanding many good Lawes to the contrary) *coſt the Country more in one yeare, than the Aſſeſſments to the Army*; what? above 100000l. a month, when the charge of the KING's Houſe-keeping came but to 50000 l. a yeare: (I ſpeak not of Wages and Penſions) I know not who ſhould make this computation, unleſſe old Sir *Henry Vane*, and his Man *Cornelius Holland* (the latter of which was turned out of his Office in the *Green-cloth* for abuſing his Place) nor in whoſe time of employment (unleſſe their owne) ſuch prodigious abuſes ſhould happen. (p. 19.) It is ſaid, *The legall and juſtifiable Revenue of the Crown fell ſhort of* 100000l. *per annum*: I perceive this is all the Account the Common-wealth is likely to have from the Committee of the Kings, Queens, and Princes Revenue; nor doe I know what a pruning hooke that phraſe (*legall Revenue*) may prove: But I conceived all that Qu. *Elizabeth*, the Kings Father and Himſelf received, had been His revenue *de jure*; I am ſure it was *de facto*, and the Parliament in their Declarations promiſed *to ſettle a better Revenue upon Him than any of His Anceſtors enjoyed*: neither did this, nor any former Parliament complaine, *that His Purſe was growne too full, or His Revenue too fulſome*: and if the Committee of the Revenues had enjoyed no more but their own legall and juſtifiable Revenue, ſo many of the KINGS Servants and Creditors had not ſtarved for want of their owne. (p 19.) They very much aggravate *Monopolies*, *Pattents*, and *Projects*: I wonder they ſuffer ſo many Men guilty in that kind to ſit in their Houſe, old Sir *Henry Vane*, Sir *Henry Myldmay*, Sir *John Hipſley*, *Cornelius Holland*, *Lawrence*

The Kings Revenue by a *medium* of 7 year was yearly 700000 l.

rence Whytakers, &c. (*p.*20.) They speak against *the Lords Negative Voice*, but not a word against the Councell of VVarres Negative Voice, who march up in hostile manner against Parliament and City, and secure, seclude, and drive away 250 Members at one time, if they vote any thing contrary to their Interest. They speak likewise against *the Lords Judiciall power over Commoners*, but have forgot what unjust and illegall use themselves attempted to make of the Lords jurisdiction against the 11 impeached Members, the 4 Aldermen, and Citizens. (*p.* 21.) They excuse their receding from their Declaration of *Aprill*, 1646. (they might have minded you of a Vote of a later Date, had it made for their turne) *for Governing the Kingdome by King, Lords and Commons.* To this it is said, *the King nor Lords could take no advantage thereof being a contract they never consented unto*, indeed it was never presented to them; but I shall aske whether the people may not take advantage thereof? for whose satisfaction this was Declared, (a generall grudge being then amongst them) *that the Parliament and Army would subvert the antient Fundamentall Government*, (*p.*22. 23.) They answer an Objection, *that these great matters ought to be determined in a full House, not when many Members are excluded by force, and the Priviledges so highly broken and those who are permitted to sit, doe act under a force.* To this is answered (how truly let any man that hath read our Histories tell) That few Parliaments have Acted but some force or other hath been upon them, (I wonder they did not argue thus for the silly Tumult of Apprentices) for Breach of Priviledge of Parliament. They answer, *It will not be charged upon the remaining party, or to have been within their power to prevent it, or repair it*, (to this I reply, that it is doubted the remaining party (being the Army party) contrived it in their *Junto* at *Somerset-house*: for (*p.*23.) it is acknowledged, *they called and appointed the Army for their Guard*, which was not openly done by a a full House: it must be therefore secretly done by a party. See many Reasons for this conjecture before. 24. Farther they say, *That the safety of the Kingdome ought to be preferred before Priviledge of Parliament; and that if their House had declined their duty* (viz. by not acting) *they had resigned up all to ruine and confusion*: from whence should this ruine and confusion come, but from their own Army, which

2. Part of *England's* New Chains discovered, &c. and the Hunting of the Foxes returned to s. 127.

1. Part, sect. 45 46, 47, 48. 49. 50, 51. 52, 53, 54.

they perpetuate to eate up the Kingdome; and continue their owne *power* and *profit?* and I wonder they did not uſe the ſame moderation after the childiſh Tumult of Apprentices, but *Declared all Acts &c. paſſed from 26 July* (which day the Tumult began and ended) *to the 6 Auguſt, null and void.* And endeavoured to make the very ſitting of the Members and the Citizens obeying to the ſaid Orders (though no judges of the force) *Treaſonable*: they deny they ſit now under a force, the Army being their beſt friends, called by them for their ſafety. Indeede it is generally thought the Army and this remnant of the Houſe of Commons, are as good Friends and Brethren as *Simeon* and *Levi*, *Pilate* and *Herod* were; and were called to ſecure the Members & purge the Houſe: yet if the remaining party ſhould Vote contrary to the dictates of the Councell of War, *Quære*, Whether they will not be uſed as uncivilly as the ſecured Members? nay worſe, by being called to account for couſoning the State. (*p.*24.) They ſay, *There is a cleare conſiſtency of our Lawes with the preſent Government of a Republique.* I deſire to know who by our Law can *call or hold a Parliament but the KING?* who is *Principium, Caput, & Finis Parlamenti?* who is the fountaine of Juſtice, Honour, Peace, when we have no King? who is Conſervator of the Lawes, and protector of the People? where is the Supreme Authority? to Vote it (in their owne Caſe) to be in a Repreſentative of 50. or 60. Commons, without legall prooſes or Precedents to lead mens reaſons Captive, as well as their Perſons and Eſtates, (to impoſe an implicite faith upon Man, not to uſe diſcourſe and reaſons againſt their Votes, is to take man out of Man, to deny him his definition, *Animal rationale*) to whom doth the Subject owe Allegiance? and where is the Majeſty of *England* when there is no King? for all Treaſon is, *Crimen læſæ majeſtatis, contra debitam ligeancian.* Therefore where (by the known Lawes) no Allegiance is, there is no Treaſon. Laſtly, if our preſent Laws be ſo conſiſtent with the Republique, I deſire to know why they did not trie the 4 Lords Legally at the Common Law by their Peeres, and Sir *John Owen* by a Jury of 12 Men of the Neighbourhood, according to *Magna Charta*, and other good Laws? but were faine to put a legiſlative trick upon them, and erect ſuch a Court for the Triall of them as was never heard of in *England*

2. Part of *Englands* New Chains; and the Hunting the Foxes. &c.

England before, nor hath no place in our Government. They conclude (p. 26.) *That as they have not intermedled with the affairs and Government of other States, so* (they hope) *none will intermeddle with them*: This assertion is as true as the rest, it being well known that for about three years last past, they have boasted, that the have many agents in *France*, who under colour of Merchandise, vent Antimonarchicall and Anarchicall Tenants, and sow seeds of populer Liberty amongst the Poore Peasants and Hugonots of *France*, which they brag prospered well there; their very declared principles and doctrine of their Pulpits and Army are, *That they must breake the powers of the Earth in pieces.* Monarchy must downe all the World over, first in *England* then this Army must put over and manumit the Peasants of *France*, the Boors of *Germany*, *&c.* and divers of this Party have reported, *That they have supplied the revolters of* France *with mony*; their Licenced Newes-Books are full of this doctrine, and of many invectives against the Tyranny of the *French King*.

134 *Harry Martins* Judgment of the King and Kingly Government.

Such were their proceedings *against the King*, or rather *against Kingly Government*, which was cut of be the same Axe that murthered the King, and was (indeed) first in their intention, though last in execution; as appeareth by *Harry Martin's* Speech in the House upon the debate, *Whether a King, or no King? That if they must have a King, he had rather have had the last then any Gentleman in England? He found no fault in his Person, but in his Office.*

135 The Councell of Officers endeavour to joyn Interests with the papists in *England* & *Ireland*.

The KING had offended the Papists in the last Treaty, by granting so much to the Parliament for their suppression: The Independents perceiving it, and willing to joyne with any interest to make good their Designe. It was proposed at the Councell of Officers, *That the Papists should raise and pay about* 10000. *Additionall Forces for this Army, in recompence whereof, all penal Lawes concerning them should be repealed, all Taxes and Contributions taken off, and they to have the protection of this Parliament & Army.* Under the same notion they endeavoured to joyne Interests with *Owen Roe Oneale*, that commanded the bloudy party of massacring Irish (with which they had formerly taxed the King) they supplied him with Ammunition, and admitted *O Really*, the Popes Irish *Nuntio* to a Treaty here in *England*, Sir *John*

Owen Roe O-neale.

The Popes Nuntion.

Wynter was taken into imployment, and the Arrears of his Rents gathered for him by Souldiers, to the regret of the Countrey. Sir *Kenelme Digby* had a Paſſe to come into *England*, and came, as was foretold by a Letter from an Independent Agent for the Army, from *Paris* to an Independent Member of the Houſe of Commons, a Creature of the Army, bearing Date, 28. *Nov.* 1648 and printed at the latter end of [*The true and full Relation of the Officers & Armies forcible ſeizing of divers eminent Members &c. Walter Mountague* let forth upon Bayle; what becomes of this Negotiation? and whether thoſe that have played faſt and looſe with all Intereſts in the Kingdom, have not done the like with the Papiſts? I cannot yet learn.

136 Scarcity of Coals how occaſioned, and why,

This Winter, Coales (as well as other things) had been at exceſſive rates in the City, whereby many poor periſhed with cold and hunger; what the reaſon thereof was (beſides unreaſonable Taxes, Exciſe, and Souldiers quartering in and neer the City) was diverſly diſputed: moſt Men imputed the blame to Sir *Arthur Haſlerigge* Governour of *New-Caſtle*, who (without any publique Authority) preſumed to lay on a Tax of 4s. a Chaldron upon the Coales there; which is eſtimated to amount to 50000l. a year; what uſe that money was put to was as variouſly whiſpered: as likewiſe what deſign they had in bringing ſo pinching a want upon the City? ſome ſaid, it was to enforce the poorer ſort into Tumults, and then to charge the wealthier ſort with the crime, and enſnare them; others ſaid it was to caſt an *odium* upon the Prince, as if His Ships had kept in the Colliers.

137. The Lo. Mayor ordered to proclaim in perſon the Act for aboliſhing the Kingly Office, and puniſhed for neglect.

The 23. *March* 1648, The Commons ordered, *That the Lord Mayor of* London *in Perſon be required to publiſh and proclaim in the City the aforeſaid Act for diſſolving Kingly Government: and to give an account thereof to the Houſe.* The Mayor refuſing this ſervice, was by the Commons called to the Barre, fined 2000l. committed Priſoner to the Tower, and outed of his Mayoralty, and Alderman *Andrewes* (a Man after their own heart) choſen by a few Schiſmaticks in his Place.

138. The Kings, Queens and Princes perſonall Eſtate ordered to be ſold.

Ordered by the Commons (upon a Report from the Councell of State) *that Commiſſioners be appointed to make Sale of the Kings Queens, and Princes Perſonall Eſtate, upon Inventory and Appriſall, for ſatisfaction of all juſt Debts due to well-affected Perſons* (viz.

(*viz.* Men of their Faction) *in this Nation, before the beginning of these Warres: But first* 300000*l. to be taken out of it for the use of this Summers Fleet. and that it be referred back to the* 40. Hogen Mogens, or *Councell of State to consider what they think fit to be sold, & what they think fit to keep and reserve for the use and furniture of them and their attendants.* Observe, that by that time this gulph is stopped, the whole remainder to be sold for payment of Debts aforesaid, may be written with a Cypher.

I hear the House hath given away the Kings House, Parks and Honour of *Eltham* to Sergeant *Bradshaw*, their *quondam* President. *Greenwich* to *Bolstrode Whitlock*. The Lyons Skins is now dividing amongst the Party. Thus have they killed and taken possession: and the Kings Revenue hath proved as ominous to Him as *Naboths* Vineyard was to his Master.

139. Crown Lands shar'd amongst the Godly.

This day another Report was made to the House from the Committe of the Army of the particular sums to be Monthly levied in each County, to make up the whole sum of 90000*l.* Monthly for the Armies of *England* and *Ireland*, besides 20000*l*, *per mens.* out of Fee-farm Rents.

140. Another Report for an establishment for the army. Diurnall Mar. 30.31. 1649.

28. *March* 1649. The Commons in pursuit of the advice given them by Monsieur *Paw*, and according to the example cited by him of the *Low Countryes*, Ordered, *That no Minister in his pulpit should meddle with any State affairs*, had this been observed from the beginning these Pulpit Incendiaries had never kindled a War between the King and Parliament.

141. An Order, that no Preacher meddle with State affairs.

142 The 5. Lights of *Walton*.

About the beginning of *Lent* last, Master *Faucett* Minister of *Walton* upon the Thames in *Surrey*, preached in his Parish Church after dinner, when he came downe out of his Pulpit it was twylight; and into the Church came six Souldiers; one of them with a Lanthorn in his hand and a Candle burning in it, in the other hand he had four Candles not lighted. He with the Lanthorne called to the Parishioners to stay a little, for he had a message to them from God; and offered to go up into the Pulpit, but the Parishioners would not let him; then he would have delivered his errand in the Church, but there they would not hear him; so he went forth into the Church yard, the people following him, where he related to them, *That he had a Vision, & received a command from God to deliver his will unto them which he was to deliver*

and

and they to receive upon paine of damnation. It conſiſted of 5. *Lights.*

1. *That the Sabbath was aboliſhed as unneceſſary, Iewiſh, and meerely ceremoniall: and here (quoth he) I ſhould put out my firſt Light, but the wind is ſo high I cannot light it.*

2. *Tythes are aboliſhed as Iewiſh and ceremoniall, a great burden to the Saints of God, and a diſcouragement of induſtry and tillage: And here I ſhould put out my ſecond light, &c.* as aforeſaid, which was the burthen of his ſong.

3. *Miniſters are aboliſhed as Antichriſtian, and of no longer uſe now Chriſt himſelfe deſends into the hearts of his Saints, and his Spirit enlightneth him with Revelations, and Inſpirations: And here I ſhould have put out my third Light, &c.*

4. *Magiſtrats are aboliſhed as uſeleſſe, now that Chriſt himſelfe is in purity of ſpirit come amongſt us, and hath erected the Kingdom of the Saints upon Earth; beſides, they are Tyrants and Oppreſſors of the Liberty of the Saints, and tie them to Lawes and Ordinances, meere humane inventions: And here I ſhould have put, &c.*

5. Then putting his hand into his pocket, and pulling out a little Bible, he ſhewed it open to the People, ſaying, *Here is a book you have in great veneration, conſiſting of two parts, the Old and New Teſtament; I muſt tell you, it is aboliſhed: It containeth beggarly rudiments, milke for Babes; but now Chriſt is in Glory amongſt us, and imparts a fuller meaſure of his Spirit to his Saints then this can afford; and therefore I am commanded to burne it before your faces.* ſo taking the Candle out of his lanthorn, he ſet fire of the leaves. And then putting out the Candle, cryed. *And here my fifth Light is extinguiſhed.*

143 The Earle of *Warwick's* Commiſſion recalled; and 3 Admiralls appointed.

Vpon a report from the Councell of State, the Commons Voted void the Earle of *Warwick's* Commiſſion for Admirall, and appointed three Commiſſioners to have and execute the Admiralls place, with 3 li. a day a piece; a Commiſſion for Marſhall Law, and Land Souldiers aboard to keepe under the Seamen. The three Admirals are, Col. *Edw: Popham*, Col. *Rob: Blake*, and Col. *Deane.*

144 *Cromwell* turned Preacher.

Sunday after *Eaſter day*, ſix Preachers militant at *White-hall* tried the patience of their hearers; one calling up another ſucceſſively: at laſt the Spirit of the Lord called up *Oliver Cromwell*, who ſtanding a good while with lifted up eyes, as it were in

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a trance; and his neck a little inclining to one ſide, as if he had expected *Mahomet's* Dove to deſcend and murmer in his eare; and ſending forth abundantly the groanes of the Spirit, ſpent an hower in prayer, and an hower and an halfe in a Sermon. In his prayer *he deſired God to take off from him the Government of this mighty People of* England, *as being to heavy for his ſhoulders to beare*: An audatious, ambitious, and hypocriticall imitation of *Moſes*. it is now reported of him, that he pretendeth to inſpirations; and that when any great or weighty matter is propounded, he uſually retireth for a quarter or halfe an hower, and then returneth and delivereth out the Oracles of the Spirit: ſurely the Spirit of *John of Leyden* will be doubled upon this Man.

145 The laſt retreat of the faction by *H. Martins* report.

About this time the *Palſgrave* tooke his leave of the Parliament, being much courted and complemented by them, and his 8000 l. *per annum*, with all Arrears confirmed to him: ſince his departure *Harry Martyn* (in a jolly humour) was heard to ſay, *If the worſt hapned, and that they ſhould not be able to ſtand their ground in* England, *yet the* Palſgrave *would afford them a place of retreat in the Palatinate*; the ſeeds of theſe Anarchicall Anabaptiſticall humours (upon the reducing of *Munſter*) ſpread themſelves in *England*, and now have a mind to returne into *Germany* to kindle a fire there.

146 *Jo.* Lilburn's third book called, [*The Picture of the Councell of State.*]

About this time *John Lilburne*, and his Company, ſet forth a Booke, called, [*The Picture of the Councell of State, &c.*] wherein they ſet forth *the illegall and violent proceedings of the ſaid Councell againſt them in ſeizing upon them with armed Bands of Souldiers, and interrogating them againſt themſelves, &c.* (where they have theſe words) *The Faction of a Trayterous Party of Officers of the Army hath twice rebelled againſt the Parliament, and broake them in pieces, and by force of Armes culled out whom they pleaſed, and impriſoned divers of them, and laid nothing to their charge; and have left only in a manner a few men* (beſides 11 of themſelves, *viz.* the Generall, *Cromwell*, *Ireton*, *Harriſon*, *Fleetwood*, *Rich*, *Ingolsby*, *Haſlerigge*, *Conſtable*, *Fenwick*, *Walton*, and *Allen* Treaſurer) *of their own Faction behind them, that will* (*like Spaniell doggs*) *ſerve their luſts and wills*: *yea, ſome of the cheifeſt of them, viz. Ireton*, *Harriſon*, *&c. yea, Mr. Holland* himſelfe ſtiled them a *mock-Parliament*,

liament, a Mock power, at *Windſor*; yea, it is yet their expreſſions at London: And if this be true that they are a Mock-power, and a Mock-Parliament, then, *Quare*, Whether in Law or Juſtice (eſpecially conſidering they have fallen from all their many gracious promiſes, and have not done any one action that tends to the univerſall good of the people) can thoſe Gentlemen ſitting at *Weſtminſter* in the Houſe (called, *the houſe of Commons*) be any other than a factious company of Men, traiterouſly combined together with *Cromwell, Ireton, and Harriſon*, to ſubdue them Lawes, Liberties, and Freedomes of *England*, (for no one of them proteſts againſt the reſt) and to ſet up an abſolute and perfect tyrany of the Sword, will, and pleaſure, and abſolutely intend the deſtroying the Trade of the Nation and the abſolute impoveriſhing the people thereof, to fit them to be their Vaſſals and Slaves.

And againe, the three forementioned Men, *viz. Cromwell, Ireton*, and *Harriſon*, (the Generall being but their ſtalking horſe, and a cypher) and their trayterous faction, having by their wills and Swords got all the Swords of *England* under their command, and the diſpoſing of all the great places in *England* by Sea and Land, and alſo the pretended *Law-making* power, and the pretended *Law executing* power, by making among themſelves (contrary to the Lawes and Liberties of *England*) all Judges, Juſtices of Peace, Sheriffs, Bayliffes, Committee-men, &c. to execute their wills and tyranny, walking by no limits or bounds, but their owne wills and pleaſures, and trayterouſly aſſume nnto themſelves a power to leavy upon the people what money they pleaſe, and diſpoſe of it as they pleaſe, yea even to buy knives to cut the peoples throats that pay the money to them, and to give no account for it till Doomes-day in the afternoon; they having already in their wills and power to diſpoſe of the Kings, Queens, Princes, Dukes, and the reſt of the Childrens Revenue; Deanes and Chapters Lands, Biſhops Lands, Sequeſtred Delinquents Lands, Sequeſtred Papiſts Lands, Compoſitions of all ſorts, amounting to millions of money, beſides *Exciſe* and Cuſtomes; yet this is not enough, although (if rightly husbanded it) would conſtantly pay above one hundred thouſand men, and furniſh an anſwerable Navy thereunto: But the people muſt now after their Trades are loſt, and thir Eſtates ſpent, to procure their Liber-

berties and Freedoms, be ceſſed about 100000 l. a Month, that ſo they may be able like ſo many Cheaters and State-thieves, to give ſix eight, ten, twelve, fourteen, ſixteen thouſands pounds a piece over againe to one another, (as they have done already to divers of themſelves) to buy the Common-wealths Lands one of another, (contrary to the duty of Truſtees, who by Law nor equity, *can neither give nor ſell to one another*) at two or three yeares purchaſe, (the true and valuable rate conſidered) as they have already done, and to give 4. or 5000 l. *per annum*, over againe to King *Cromwell*, as they have done already out of the Earle of *Worceſters* Eſtate, &c. beſides about 4. or 5 l. a day he hath by his Places of Lieut. Generall, and Colonel of Horſe in the Army; although he were at the beginning of this Parliament but a poor man; yea, little better than a Beggar (to what he is now) as well as other of his Neighbours.

Maſter *Boon* a Member of the Houſe lately a Tapſter, hath 6000l. given him.

Sir *Arth. Haſlerig* 3 great manours, *Biſhops. Aukland*, *Evewood*, and another. Col. *Backſter* (the pitiful Thimble and Bodkin Goldſmith) bought as much Biſhops Lands as coſt 10000 l. at two or three years purchaſe, and hath already raiſed his mony.

147. A Petition in behalfe of *Jo. Lylburn* and his company.

2. *April*, 1649. A Petion ſubſcribed by divers Perſons in behalf of *John Lylburne* and his company, was preſented to the Commons, wherein (amongſt other things) are contained theſe three juſt demands:

1. *That no man be cenſured, condemned, or moleſted, but for the breach of ſome Law firſt made and publiſhed to the People, wherby is avoided that uncertainty and howerly hazard that otherwiſe every man is ſubject to, both in reſpect of his Eſtate, Liberty, and Life.*

2. *That every crime have not only its penalty annexed but together therewith the manner and method of proceedings aſcertained.*

3. *That the execution of Laws be referred to ordinary Magiſtrates and Officers by Law deputed thereto, and that the Military power be not uſed, but where the Civil is ſo reſiſted, as that of its owne ſtrength it is deficient to enforce obedience.*

148. Itinerant Miniſters, an invention to undermine our Orthodox ſetled Miniſters, and infect the people with Schiſms & Anarchicall principles, ſutable to the many headed tyranny of the grandees.

April 12. 1649. It was referred to a Committee *to conſider of a a way how to raiſe Penſions and Allowances out of Deans and Chapters Lands to maintaine ſupernumerary Itinerant Miniſters, who* ſhould be Authorized to go up and downe compaſſing the earth, and adulterate other mens Pulpits and Congregations, and put affronts and raiſe factions and ſcandals upon ſuch orthodox and

Conſciencious Miniſters (in order to their Sequeſtration) as cannot frame their Doctrine to the damnable practices and Anarchicall principles of the times. Theſe wandring Appoſtles are to preach Antimonarchicall ſeditious doctrine to the People, (ſutable to that they call the preſent *Government*) to raiſe the raſcall multitude and ſchiſmaticall rabble againſt all men of beſt quality in the Kingdom, to draw them into Aſſociations and Combinations with one another in every County, and with the Army againſt all Lords, Gentry, Miniſters, Lawyers, rich and peaceable men, and all that are Lovers of the old Lawes and Government, for the better rooting of them out, that themſelves alone may inhabit the earth, and eſtabliſh their new Tiranny or Kingdome of the Saints, upon the ruines of our ancient Monarchy. Theſe men (like *Balaam*) *ſhall bleſſe and curſe for hire*, and vent State-news, State-doctrine, and poyſon the People with ſuch changeable and various principles as from time to time ſhall be dictated to them by thoſe Pſeudo-polititians as now ſit at the Helme: they ſhall couſen the People with pretended Illuminations, Revelations, and Inſpirations, and power out all the Vials of Gods wrath amongſt them.

149 A fradulent Reconciliation and uniting of Intereſts attempted, with a Mock-faſt for that purpoſe. See a Paper called, *Arguments againſt al Accommodation between the City of* London, *& the engaged Grandees of the Parl: & Army.* And, *A ſeaſonable caution to the City of* London; printed at the latter end of *Relations and Obſervations, Hiſt. & Pil. &c*

Cromwell and *Ireton*, and their Faction, having formerly deluded all the intereſt and parties of this Kingdome, were arrived to that hight of impudence as to endeavour to cheat them all over againe, they had by murthering the King, aboliſhing the Houſe of Lords, putting an execrable force upon the farre major part of the houſe of commons, making themſelves and their Party a Tyrannicall Councell of State, to uſurpe the Supreme power and Government, endeavouring a *Tolleration of all Religions*, attempting to take away Tythes, mocking, and then tyrannizing over that part of the Army they pleaſe to miſcall *Levellers*, diſtracted and diſcontented all parties within the Kingdom, and ſtirred up all the Princes of Chriſtendome to defend the common intereſt of Kings, now controverted in *England*. This cloud threatned to poure downe a new Warre upon them; to provide a remedy therefore for this ſore, Cromwell moved in the Houſe of Commons, *That the presbyterian Government might be ſetled*, promiſing his endeavours thereto; but whether he meant a Claſſicall or Congregationall Presbytery (which differs little

or.

or nothing from Independency) he did not declare: and here lyeth the fallacy, he likewiſe moved, *That the ſecured and ſecluded Members might againe be invited into the Houſe:* they ſent their Agents both Lay-men and Miniſters (amongſt whom Maſter *Marſhall*, *Nye*, *Carrell*, *Goodwin* and *Hugh Peters* were chief) to cajole and decoy the Miniſters, Cittizens, and the expulſed Members, with diſcourſes and Propoſitions, they told them, the Preſbyterians had differed from the King in Point of civill Intereſt, which was more irreconciliable then that intereſt of Church Government, whatſoever ſhew was made to the contrary. (They will not endure to here of the KINGS exemplary patience and Chriſtian charity to all; nor of his Precepts and ſtrict injunctions to his Sonne of clemency and obſtinency from revenge, contained in his laſt booke, [*The Pourtracture of His Majeſty.*] theſe things will both appologize for our young King, and condemne our Bloudy vindicative Saints.) That the Preſbyterians as well as the Independents made War againſt the late King, brought him low, and prepared him to receive his late deadly Blow from the Independents, and therefore the King would looke upon both parties as equally guilty, and was depely engaged in point of Intereſt to cut off both parties: Endeavouring by theſe diſcourſes to put the Presbyterians into *deſpaire* (their owne and *Judas's* ſinne) and then to worke upon that baſe and cowardly principle of *Selfe Preſervation*, and invite them to joyne with them in point of civill Intereſt and common Defence. But their kindneſſe was but like that of a Malitious man, who having plagueſoares upon him, embraceth his friend rather to infect then cheriſh him: they know that by ſitting, voting, acting, and complying with them, (whoſe Actions the Law of God and the Land have damned and anathematized with the Higheſt condemnation) they ſhould contract the guilt of all their forepaſſed crimes and treaſons; in the meane time the Presbyterians ſhould ſit and Act but as a ſuſpected party, aud ſhould be baffled and turned out againe when the danger is paſt; the Independents keeping in their owne hands all the power, profits aud preferments of the Land, and uſing the Presbyterian party but as Gibeonites, Hewers of wood, and Drawers of Water under them; they invited them therefore to ſhare wth them in their ſinnes, ſhames, and puniſh

ments, but would keep *Achans* Wedge and the Babiloniſh garment (the profit of their crimes) to themſelves: And (as if it were not ſufficient to couſen Man without mocking God) the Houſe of Commons Ordered *a ſtrict Faſt to be kept upon Thurſday* 19. Aprill 1649. *as a day of Humiliation to implore Gods forgiveneſſe for the ingratitude of the People, who did not ſufficiently acknowledge with thankefulneſſe Gods great Mercies upon this Land in freeing them from Monarchy, and beſtowing liberty upon them, by changing Kingly Government into a Free State or Republique.* The Faction knew that to partake with them in theſe prayers, was to partake of their ſinnes. God deliver us from thoſe deceitfull lips, whoſe prayers are ſnares, whoſe kiſſes prove curſes, and whoſe devotion leads to damnation: Never was Faſt enjoyned with more ſeverity, nor neglected with more contempt and horror; men ſhunning it like the ſinnes of Rebellion and Witch-craft. Beſides, their conſciences told them, that *they never ſuffered the thouſandth part of the oppreſſions they now groan under.*

150. The jugling deſigne of ſending parte of the Army for *Ireland*.

About this time it was debated to ſend Supplies for *Ireland*; the predominant Grandees were deſirous to purge the Army (as they had done the Houſe) and ſead the Levellers (Aſſertors of Liberty) thither: the Levellers were deſirous to keepe their ground here, and ſend the more mercinary enſlaving and enſlaved part of the Army: the better to colour the deſigne, *Cromwell* undertook to be Conductor of this expedition, and light them the way into *Ireland* with his illuminated Noſe: having taken order before hand that his precious ſelf ſhould be recalled time enough to keep up his party in *England* from ſinking by his longer abſence; and the better to accommodate the buſineſſe Lots were ſeverall times caſt what Regiments ſhould go; but the Lots not falling out to the minds of the Generall Councell of Officers, they caſt Lots again and again, untill fortune agreed with their deſires: This being diſcovered, a printed Paper was ſcattered about the ſtreets, 26. *April* 1649. as followeth.

ALL Worthy Officers and Souldiers who are yet mindfull that you engaged not as a meer mercinary Army, hyred to ſerve the Arbitrary ends of a Counſell of State; but took up Arms in Judgment and Conſcience in behalf of your own, and the peoples juſt Rights and Liberties;

Liberties; you may see plainly by the proceedings of Colonel Hewson *with his Regiment that the designe of your grand Officers is, to reduce the Army into a meer mercinary and servile temper, that shall obey all their commands, without so much as asking a question for Conscience sake. Intending by this blind obedience in you to make you be whatsoever they shall find requisite to establish their own absolute power over the Common-wealth, yea though it be to cut off your best friends, or perpetuate this their own Parliament and Councell of State, things so evidently destructive to your own and the Peoples just Rights and Liberties as nothing can be more.*

And for compassing whereof, you know they have long since dissolved the Agitators, and erected a Councell amongst themselves, by which they have moulded the Parliament and a Councell of State to their own wills; both which, are to be as a screen between the People and your Grandees, to make the world beleive, they doe nothing but by order of Parliament, and Councell of State, when they order all things themselves; and indeed are confederated together to defend and protect each other in their defrauding and enslaving the Commonwealth.

This they have long aymed at, but cannot possibly effect it, until they reduce the Army to a servile and base temper, which they have been laboring to bring to pass a long time; as by picking quarrels with most Officers and Souldiers, that have manifested any sence of Common Right, and so vexing them and wearying them out of Troops and Companies: And (you know) they have been more than once disbanding twenty of a Troup, upon pretence of easing the publique charge: all their mischief being ever done, after either fasting and prayer, or upon some very specious pretence; but the care and resolution of the honest Officers and Souldiers ever prevented this.

But now the businesse for Ireland (*it seems*) *must do the deed; that being a service that must be preferred before the setling of the Liberties and Fredoms of this Nation: and all that are not for this service must be esteemed no better then Enemies and Traytors; and therefore* an Ahab-like *Fast goeth before the Lots are cast: and Col.* Hewson *falls to work and disbands all those Souldiers and Officers that refused to engage for the service of* Ireland, *before the liberties of* England (*which We never trod under foot*) *be restored to the people.*

The

The end of this being to be a leading caſe to all other Regiments both Horſe and Foot; not that they certainly intend for Ireland, *but by ſuch means to be rid of all ſuch as are apt to deſire to be ſatisfied in their Conſciences of the juſtice of the Cauſe before they engage in the killing and ſlaying of men any more; or before they ſee ſome fruits anſwerable to the bloud that hath been ſpilt.*

And being rid of this kind of Officers and Souldiers, then to fill the Rigiments as this Hewſon doth, with ſuch ignorant, needy, or ſervile men as theſe miſerable times (through loſſe of trade) have begotten.

And this being done, then to make more ſtrict inquiry after this ſort of People in the Army, and all other places, ſuppreſſe meetings, and if that will not doe, then to diſarme all from whom they ſuſpect the leaſt repining or oppoſition.

And therefore all thoſe Officers and Souldiers, and all people in all places are concerned in a very high nature, even as much as the freedome of the Nation is worth; yea, as they tender the good of their Wives Children, Families and Poſterities, to venture their lives & all they have, to make oppoſition againſt this the greateſt miſchiefe that ever was attempted; the greateſt Treaſon that ever was committed againſt the liberties of the People: and not to ſtand any longer in a miz-maze betweene hope and feare; for if this deſign take place, your great Officers and their Confederates in Parliament and Councell of State, will be as ſo many Kings, Princes and Lords, and your ſelves, and all the People, their ſlaves and vaſſals.

Therefore keepe every man his place and Poſt, and ſtir not, but immediately chuſe you a Councell of agitators once more to judge of theſe things; Without which you ſhall never ſee a new Parliament, or ever be quit of theſe intolerable burdens, oppreſſions, and cruelties, by which the People are like to be beggered and deſtroyed.

151 M. *Lockier* condemned by a Councell of War, with his honourable death and buriall; & *Lylburns* Letter to the Generall.

About this time Mr *Robert Lockier* and five or ſix other Troupers of Capt. *Savages* Troup were condemned for a ſuppoſed mutiny; in behalfe of whom Lieut. C. *John Lilburne* writ this Letter following to the Generall, dated 27. *April*, 1649.

May it pleaſe your Excellency,

WE have not yet forgot your Solemne Engagement of *June* 5. 1647. Whereby the Armies continuance as an Army

Army was in no wiſe by the will of the State, but by their owne mutuall agreement: and if their ſtanding were removed from one Foundation to another, (as is undeniable) then with the ſame they removed from one authority to another; and the Ligaments and bonds of the firſt were all diſſolved, and gave place to the ſecond; and under, and from the head of their firſt Station, *viz.* By the Will of the State, the Army derived their Government by Marſhall Law; which in judgment and reaſon could be no longer binding then the Authority (which gave being thereto) was binding to the Army: For the deniall of the Authority, is an Abrogation and Nulment of Acts, Orders, or Ordinances by that Authority as to them: And upon this account, your Excellency with the Army, long proceeded upon the Conſtitution of a new Councell and Government, contrary to all Martiall Law and Diſciplin, by whom only the Army Engaged to be ordered in their proſecution of the ends, to wit, their ſeverall Rights, both as Souldiees and Commoners, for which they aſſociated; Declaring, Agreeing, and Promiſing each other, not to Disband, Divide, or ſuffer themſelves to be Disbanded or Divided, without ſatisfaction and ſecurity in relation to their Grievances and Deſires in behalfe of themſelves and the Common-wealth as ſhould be agreed unto by their Councell of Agitators: and by vertue, and under Colour of this Eſtabliſhment, all the Extraordinary Actions by your Excellency, your Officers, and the Army have paſt: Your refuſall to Disband, diſputing the Orders of Parliament; Impeachment and Ejection of Eleven Members; your Firſt and Second March up to *London*; your late violent Excluſion of the Major part of Members out of the Houſe, and their Impriſonment without Cauſe, &c. which can no way be juſtified from the Guilt of the higheſt Treaſon, but in the accompliſhment of a righteous end, *viz.* The enjoyment of the benefit of our Lawes and Liberties which we hoped long ere this to have enjoyed from your hands; Yet when we conſider and herewith compare many of your late carriages both towards the Souldiery and other free People; and principally your Cruell Exerciſe of Marſhall Law, even to the ſentence and Execution of Death upon ſuch of your Souldiers as ſtand for the rights of that Engagement, &c. And not only ſo, but againſt others not of the

Army; we cannot but look upon your defection and Apostasie in such dealings, as of most dangerous Consequence to all the Laws and Freedoms of the People.

And therefore, although there had never been any such solemn Engagement by the Army, as that of *June* 5. 1647. which with your Excellency in point of duty ought not to be of the meanest Obligation, We do protest against your exercise of Martiall Law, against any whomsoever, in times of Peace, where all Courts of Justice are open, as the greatest encroachment upon our Lawes and Liberties that can be acted against us; and particularly, against the Tryall of the Souldiers of Captaine *Savages* Troup yesterday, by a Court Martiall, upon the Articles of Warre, and sentencing two of them to death; and for no other end (as we understand) but for some dispute about their Pay: And the reason of this our Protestation, is from the *Petition of Right*, made in the third year of the late King, which declareth, *That no Person ought to be judged by Law Martiall, except in times of Warre; And that all Commissions given to execute Martiall Law in time of Peace, are contrary to the Lawes and Statutes of the Land.* And it was the Parliaments complaint, That Martiall Law was then commanded to be executed upon Souldiers for Robbery, Mutiny, or Murder. Which Petition of Right this present Parliament in their late Declarations of the 9. of *Feb.* and the 17. of *March.* 1648. commend as the most excellentest Law in *England*; and there promise to preserve inviolably, it, and all other the Fundamentall Lawes and Liberties, concerning the preservation of the Lives, Properties, and Liberties of the People, with all things incident thereunto. And the Exercise of Marshall Law in *Ireland*, in time of Peace, was one of the chiefest Articles for which the E. of *Strafford* lost his Head: The same by this present Parl. being judged High Treason. And the Parliament it self, neither by Act nor Ordinance, can justly or warrantably destroy the Fundamentall Liberties and Principles of the Common Law of England: It being a Maxim in Law and Reason both, that all such Acts and Ordinances, are *ipso facto*, null, and void in Law, and binds not at all, but ought to be resisted and stood against to the death. And if the Supreme Authority may not presume to do this, much lesse may You, or Your Officers presume thereupon; For where Remedy

may

may be had by an ordinary course in Law, the Party grieved shall never have his recourse to extraordinaryes. Whence it is evident, that it is the undoubted Right of every Englishman (Souldier or other) that he should be punishable only in the ordinary Courts of Justice, according to the Lawes and Statutes of the Realme in the times of Peace, as now it is; and the extraordinary way by Courts Martiall, in no wise to be used.

Yea the Parliaments Oracle, Sir *Edward Coke*, Declares in the third part of his *Institutes*. Chap. of *Murder That for a Generall or other Officers of an Army, in time of Peace to put any man, although a Souldier, to death, by colour of Martiall Law it is absolute murder in that Generall, &c.* Therefore erecting of Martiall Law now, when all Courts of Justice are open & stopping the free current of Law, which sufficiently provides for the punishment of Souldiers as well as others, as appears by 18. *H. 6 c. 19. 2. & 3. E. 6. c. 2. 4 & 5 P. & M c. 3 & 5 El. 5. & 5. Jam. 25.* is an absolute destroying of our Fundamentall Liberties, and the razing of the Foundation of the Common Law of *England*; the which out of Duty and Conscience to the Rights and Freedomes of this Nation (which we value above our lives) and to leave You and Your Councell without all excuse, we were moved to represent unto Your Excellency, earnestly pressing, You well to consider what You doe, before yon proceed to the taking away the Lives of those men by Martiall Law; lest the blood of the Innocent (and so palpable Subversion of the Lawes and Liberties of *England*) bring the reward of just vengeance afret it upon You, as it did upon the Earle of *Strafford*: For Innocent bloud God will not pardon; and what the people may doe (in case of such violent Subversion of their Rights) we shall leave to Your Excelleney to judge, and remaine

Sir,

From our causelesse, and unjust,
and Tyrannicall Captivity,
in the Tower of *London*,
April 27. 1649.

Your Excellencies
humble Servants,
JOHN LILBURNE.
RICH: OVERTON.

Notwithstanding which Letter, and much other meanes made, the said *Lockier* was Shot to Death in Saint *Paul's* Church-yard

the ſame day, to ſtrike a terror and ſlavish feare into ſuch other Souldiers as ſhall dare to take notice of their approaching ſlavery; but his Chriſtian and gallant deportment at his death, with the honourable funerall pomp accompanying him to his Grave turned all the terror of his Tragedy into hatred and contempt of the Authors thereof.

152. Arrcares given to Col. *A Popham*, & *H Martin*, & temptations put upon *Lilburn* and *Joyce*.

About this time the Houſe of Commons gave to Colonell *Alexander Popham* all his Arrears, and to *Harry Martin* 3000l. to put him on upon the holy Siſters, and take him off from the Levellers: And *Cromwell* is now playing the Divils part, ſhewing the Kingdomes of the Earth, and tempting *John Lilburne* to fall down and worſhip him, to forſake his good principles and engagements, & betray the Liberties of the people, but Lieut. Col. *Lilburne* is higher ſeated in the good opinion of the People then to be ſuſpected of ſo much baſeneſſe, who are confident he will as conſtantly reſiſt falſe promiſes and vaine hopes, as he hath vaine threats and terrors of Indictments, and not caſt away the hold he hath of immortaliry by hearkning to ſuch a Syren whoſe promiſes are but baits, with a hook hidden under them; and his preferments but like *Mahomets Paradiſe*: He that hath couſoned all the Intereſts of the Kingdom wil not ſcruple to cheat his Enemy, a free ſpirited plaine meaning man. This is to undermine and blow up his credit with his Party, and make him liable to a revenge hereafrer: He that ſtoops to the lure of a knowne Enemy is guilty of inexcuſable folly, and a betrayer of himſelfe, eſpecially having had ſo faire a copy of conſtancy ſet him by Coronet *Joyce*, who hath with much faithfullneſſe reſiſted the like allurements, and ſo foule a Copy of inconſtancy by *Reynolds*.

150. The deſigne of making Members of Parliament liable to Arreſts.

The Commons have Ordered, *that upon Complaint made to any Judge of the Three benches, the Judges ſhall ſend a Letter of Summons to ſuch Members of their Houſe as ſhall be complained of to give an appearance, and ſubmit to legall proceedings; otherwiſe his perſon to be liable to Arreſts.* But our preſent Judges are Creaturs to the Houſe of Commons, and know before hand what Members are *Babes of Grace* in favour, and muſt be priviledged; and who are out of favour, and muſt not be priviledged; they have an *Indix* tells them when to grant and when to deny, Sinners muſt not be partakers of the ſame Lawes with Saints: This is a Whip and a

Bell

Bell to drive such dogged Members out of the Hall as will not hunt in pack with the Grandees in pursuit of their design, and are quick-sented enough to smell out their knavery, if they come too neer their dore: It is thought the tyrannicall Hocas Pocases had an aime hereby to lash *Harry Martyn* off from the Levellers, and make him come in to them.

154. Women Petition the house for L. Col. *Lilburn* and his Company.

About this time some thousands of well affected Women of *London*, *Westminster*, *Southwarke*, and the *Hamlets*, stormed the House of Commons with two Petitions in behalf of *Jo: Lilburne* and his Company: They complaine of *the Councell of States violent & illegal proceedings against them, in seizing them in the night by Souldiers*; *of* Lockiers *being shot to death by Martiall Law*; *of their Arbitrary Government, Taxes, Excise, Monopolies, &c. That there was a designe to fetch* Lilburne *and his Fellows Prisoners out of the Tower at midnight to* White-hall *and there murder them*; *That the House by Declaring the Abetors of the Book laid to those Prisoners charge Traytors, have laid a snare for people*; *when as hardly any discourse can be touching the affairs of the present times but falls within the compasse of that Booke*; *so that all liberty of discourse is thereby utterly taken away, then which there can be no greater slavery.*

Second part of *Englands* new Chaines discovered.

They received not so good Answers to these Petitions as they were wont to receive, when they had Money, Plate, Rings, Bodkins, and Thymbles to sacrifice to these Legislative Idols, they were bid *Go home and wash their Dishes*; to which some replied, *They had neither Dishes nor Meat left.*

155. Observations upon the Commons Answer to those that petitioned for *Lilburne*, &c.

Note that the Commons have returned answer to some Petitioners, *that Lilburn shall be Legally Tried by Laws preceeding the fact*, and yet by their Order, 11. *April*, 1649. it is ordered, *That the Attourney Generall be required to take speedy course for prosecution of Lieu. Col* Jo: Lilburn, *&c. in the Upper Bench this Terme, upon the Declaration of this House touching the Booke, entituled*, [*The second part of* Englands *new Chains discovered*] If this Order be not a Law and preceding the fact too, then our Supreme Saints have told a Legislative Lie. In the latter end of the said Answer they are angry the Petitioners should discover so much of their basenesse, That *Cromwell* and *Ireton* rides them, and therefore (contrary to all mens knowledge, and their owne Consci-

ences) they terme those Intimations, seditious Suggestions; and Ordered, that *Cromwell* and *Ireton* should draw up a Declaration to prevent the People from being misled by Sowers of Sedition; such are the degenerous Spirits of under-Tyrants, who are Asses to their Superiours, and Lyons to their Inferiours: *Cromwell* and *Ireton*, that have subverted all Civill Authority, *Murdered the* KING, possessed themselves of what they please, and enslaved the Kingdome with a Military Tyranny, must draw up a Declaration according to their fancy, for their owne vindication, and the Commons must Father he Bastard and set the stampe of their Authority and privilege upon it, lest any man should confute it, and beat back the Authors lies into their throats. But this is no new invention, for formerly when the Councell of Officers set forth their Answer to the House of Commons Demands concerning their secured Members; *Cromwell* and *Ireton* caused their Journey-men of that Conventicle to Vote, *That the House did approve the matter of the said Answer*; thereby owning all the grosse lies therein contained to deterre the imprisoned Members from replying to it, and so by a tacite confession to acknowledge themselves guilty.

Humiliter servivunt, aut superbè dominantur.

Ireton penned this scandalous answer of the said Officers.

156 The Turkish *Alcoran* taught to speake English

About this time appeared out of the East a New Light in our Horizon, the *Alchoran* of *Mahomet* (Predecessor to *Cromwell*) and of *Sergius* (forerunner of *Hugh Peters*) naturalized and turned English. Now the Jewes (professed Enemies to Christ (which *Mahomet* is not) are accepted off) it is believed that their *Thalmude* and *Caball* will shortly be made English too, that this Island may be rendered a compleat Pantheon, a Temple and Oracle for all Gods and all Religions; our light headed innovating People being like Reeds as apt to be shaken by, and bend unto every wind, every breath of pretended Inspiration, as the ancient Arabians were.

157 New-declared Treasons to defend Tyranny & usurpation, and ensnare the people.

May 1. 1649. The frighted Conventicle of Commons considered of an Act (forsooth) to fortifie themselves and their usurpations with a Scar-crow of new-declared Treasons, to the purpose following.

1. *If any man shall malitiously* (this is a word of qualification, a back-dore to let out such as they shall thinke fit) *affirme the present Government to be tyrannicall, usurped, or unlawfull, or that the Commons*

Commons in Parliament, are not the Supreme Authority of the Nation, or endeavour to alter the present Government.

2. *If any affirme the Councell of State or Parliament to be Tyrannicall or unlawfull, or endeavour to subvert them, or stir up sedition against them.*

For Souldiers of the Army to contrive the death of the Generall, or Lieutenant Generall, or endeavour to raise mutinies in the Army, or to leavy War against the Parliament to joyne with any to invade England *or* Ireland, *counterfeit the Great Seale, kill any Member of Parliament, or Judge, or Minister of Justice in that duty:* All these severall cases to be declared, *Treason.* You see the terrors of *Caine* pursue these guilty Cowards.

Quære, whether *Cromwell* be Lieutenant General or no?

This Fools Bolt is chiefly aymed at the honest *Levellers*: this *Junto* of Commons have made themselves *legall Traytors* already, and would now make all the Kingdome *legislative Traytors*; but I hope none of those that arrogate the reverend Title of *Iudges of the Law* (although against Law) will be so Lawlesse as to give sentence of death, upon any such illegall Act of the house of Commons; nay, this very Act denounceth slavery and bondage to the Nation, and therefore is an Act of the highest tyranny, and a snare.

158
The Levellers Randezvouz in *Oxfordshire.*

May 6. 1649. The honest Levellers of the Army, (for that is the Nick-name which *Cromwell* falsly and unchristianly hath christned them withall) Enemies to Arbitrary Government, tyranny and oppression, whether they find it in the Government of one or many? whether in the Councell of Officers, a Councell of State, or a fag end of a House of Commons? whether it vayle it selfe with the title of a Supreme Authority, or a Legislative power?) drew together to a Randezvouz about *Banbury* in *Oxfordshire*, to the number of 4000 or 5000 others resorting to them dayly from other parts. This Gave an Alarum to our Grandees, fearing the downfall of their dominion. *Cromwell* (not knowing what party to draw out against them, that would be stedfast to him) shunned the danger, and put his property the Generall upon it to oppose the Randezvouz, and (looking as wan as the gulls of a sick Turkey-cock) marched forth himselfe Westward to intercept such as drew to the Randezvouz. In the mean time the said Levellers printed and published this ensuing Paper, entituled,

Englands

Englands *Standard advanced: or, A Declaration from Mr.* Will. Thompſon, *and the oppreſſed People of this Nation, under his conduct in* Oxford-ſhire.

Dated at their Randezvouz, *May* 6. 1649.

WHereas it is notorious to the whole world, that neither the Faith of the Parliament, nor yet the Faith of the Army (formerly made to the People of this Nation, in behalfe of their Common Right, Freedome, and Safety) hath been at all obſerved, or made good, but both abſolutely declined and broken, and the People only ſerved with bare words and faire promiſing papers, and left utterly deſtitute of all helpe or delivery: And that this hath principally been by the prevalency and treachery of ſome eminent perſons (now domineering over the People) is moſt evident. The Solemne Engagement of the Army at New-market, *and* Triplo-heaths *by them deſtroyed, the Councell of Agitators diſſolved, the blood of War ſhed in time of Peace, Petitioners for Common Freedome ſuppreſſed by force of Arms, and Petitioners abuſed and terrified, the Lawfull Triall by* 12 *ſworne men of the Neighbourhood ſubverted and denied; bloody and Tirannicall Courts (called an high Court of Juſtice, and a Councell of State) erected, the power of the Sword advanced and ſet in the ſeat of the Magiſtrates, The Civill Lawes ſtopt and ſubverted, and the Military introduced, even to the hoſtile ſeizure, impriſonment, triall, ſentence, and execution of death, upon divers of the free people of this nation, leaving no viſible Authority, devolving all into a factious Junto and Councell of Sate, uſurping and aſſuming the Name, Stamp, and Authority of Parliament, to Oppreſſe, Torment and Vex the People, whereby all their Lives, Liberties, and Eſtates, are all ſubdued to the Wills of theſe Men, no Law, no Juſtice, no Right or Freedom, no eaſe of greivances, no removall of injuſt barbarous Taxes, no regard to the cries and groans of the poore to be had while utter beggery and famine (like a mighty torrent) hath broake in upon us, and already ſeized upon ſeverall parts of the Nation.*

Wherefore through an inavoydable neceſſiti, no other means left under Heaven, we are enforced to betake our ſelves to the Law of Nature

ture to defend and preſerve our ſelves and Native Rights, and therefore are reſolved as one man (even to the hazard and expence of our lives and fortunes) to endeavour the redemption of the Magiſtracy of England, *from under the force of the ſword, to vindicate the* Petition of Right, *to ſet the unjuſtly impriſoned free, to relieve the poore, and ſettle this Common-wealth upon the grounds of Common right, Freedom, and Safety.*

Be it therefore known to all the free People of England, *and to the whole World, that (chuſing rather to die for Freedome, then live as ſlaves) we are gathered and aſſociated together upon the bare accompt of* Engliſh men, *with our Swords in our hands to redeeme our ſelves and the Land of our Nativity, from ſlavery and oppreſſion, to avenge the blood of Warre ſhed in the time of Peace, to have juſtice for the blood of M.* Arnold *ſhot to death at* Ware, *and for the blood of M.* Robert Lockyer, *and divers others who of late by Marſhall Law were murthered at* London.

And upon this our Engagement in behalfe of the Common wealth, we doe ſolemnly agree and proteſt, that we will faithfully, (laying all ſelfe reſpects aſide) endeavour the actuall reliefe and ſettlement of this diſtreſſed Nation.

And that all the World may know particularly what we entend, and wherein particularly to center and acquieſce for ever, not to recede or excede the leaſt punctilio, we doe Declare from the integrity of our hearts, that by the helpe and might of God wee will endevour the abſolute ſettlement of this Diſtracted Nation, upon that forme and Method by way of an Agreement of the People, *tendered as a Peace offering by Lieutenant Colonell* John Lilburne, *Maſter* William Walwin, *Maſter* Thomas Prince, *and Maſter* Richard Overton, *bearing date,* May the firſt one thouſand ſix hundred forty nine; *the which we have annexed to this our* Declaration *as the Standard of our Engagement thereby owning every part and particular of the Premiſes of the Agreement, promiſing and reſolving to the utmoſt hazard of our Lives and Abilities, to purſue the ſpeedy and full accompliſhment thereof, and to our Power, to protect and defend all ſuch as ſhall aſſent or adhere thereunto: And particularly, for the Preſervation and Deliverance of Lieut. Col.* John Lilburn, *Mr.* Wil: Walwin, *Mr.* Thomas Prince,

Mr. Richard Overton, *Captaine* Bray, *and Mr.* William Sawyer, *for their barbarous and illegall imprisonments: And we Declare*, That if a haire of their heads perish in the hands of those Tyrants that restraine them, that if God shall enable us, we will avenge it seventy times seven fould upon the heads of the Tyrants themselves and their Creatures.

And that till such time as by Gods assistance we have procured to this Nation the Declared purpose of this our Engagement, we will not divide nor disband, nor suffer our selves to be divided or disbanded, resolving with soberness and civility to behave our selves to the Country, to wrong nor abuse any man, to protect all to our power from violence and oppression in all places where we come; resolving to stop the payment of all Taxes or Sessments whatsoever, as of Excise, Tythes, and the Tax of Ninety Thousand pound per mensem.

And having once obtained a New Representative, *according to the said agreement, upon such Terms and Limitations therein expressed; We shall then freely lay downe owr Armes, and returne to our severall Habitations and Callings.*

And concerning the equity, necessity, and Justice *of our undertaking, we appeale to the judgment of the oppressed, betwixt their destroyers and us; Whether by the Law of God, of Nature, and Nations, it be not equally justifiable in us to engage* for the safety and deliverance of this Nation, *as it was with the* Netherlanders, *and other people for theirs, and that upon the same principles that the Army engaged at* New-market and Triploe-heaths, *both Parliament and Army declaring*, That it is no resistance of Magistracy to side with just Principles, and Law of Nature and Nations: And that the Souldiery may lawfully hold the hands of that Generall, who will turne his Cannon against his Army, on purpose to destroy them: The Sea-men the hands of that Pilot, who wilfully runs his ship upon a Rock. *And therefore, (the condition of this Commonwealth considered) we cannot see how it can be otherwaies esteemed in us, And upon that account we* Declare, that we doe own, and are resolved to owne all such persons, either of the Army or Countries, that have already, or shall hereafter, rise up and stand for the Liberties of *England*, according to the said Agreement of the People: *And in particular*, We doe owne and avow the late proceedings

proceedings in Colonel *Scroops*, Col. *Harrisons*, and Major Generall *Skippons* Regiments, declared in their Resolutions published in print. As *One Man*, Resolving to live and die with them, in their and our just and mutuall defence.

And we doe implore and invite all such as have any sense of the Bonds and Miseries upon the People; any Bowells of compassion in them, any Piety, Justice, Honour, or Courage in their Breasts, any Affections to the Freedoms of England, *any love to his Neighbour or Native Country*, to rise up, *and* come in *to help a distressed miserable Nation, to break the* Bands of Cruelty, Tyranny, *and* Oppression, *and set the People* Free.

In which Service, trusting to the undoubted goodnesse of a just and righteous Cause, We shall faithfully discharge the utmost of our Endeavours; Not sparing the venture of all hardships and hazards whatsoever, and leave the Successe to God.

Signed by me WILLIAM THOMPSON, at our Randezvouz in *Oxford-Shire* neer *Banbury*, in behalf of my Self, and the Rest Engaged with me, *May* 6. 1649.

For a New Parliament, By the greement of the People.

159 Doct. *Doriſlaus* ſtabbed to death in *Holland.*

About this time Doctor *Doriſlaus* a Civill Lawyer, ſometimes Judge Advocate to the Earle of *Eſſex*, and Lord *Fairfax*, and lately one of the Councell in the High Court of Juſtice againſt the KING, and the foure Lords; was ſent from the Parliament, Agent into *Holland*; where about 18. Scots-men (Friends to *Hamilton*) repayring to his Lodging, 6. of them went up the ſtaires to his Chamber, whilſt twelve of them made good the ſtair-foot; where expoſtulating with him concerning the unjuſt condemnation and execution of the Duke, they ſtabb'd him to death, and eſcaped.

160 *Haſleriggs* barbarous motion to murther ſix royaliſts of the beſt quality in revenge of *Doriſlaus.*

About the 14. day of *May*, 1649. Report was made from the Councel of State to the Houſe of the examination of three ſervants of Doctor *Doriſlaus*, concerning the Death of their Maſter; and what allowances were fit to be given to his Children out of the Kings Revenue, thereby to lay an aſperſion upon the King (as if He having had an influence upon that Fact, His Eſtate muſt make the recompence, notwithſtanding Scottiſh men did the deed in

revenge of *Hamiltons* death.) *Doriſlaus* had been a poor Schoolmaſter in the Low Countries formerly, from whence he was tranſlated to read the *Hiſtory Lecture* at *Oxford*, where he decryed *Monarchy* in his firſt *Lecture*; was complained of, and forgiven by the benignity of the King. Then he became Judge Advocate in the Kings Army in his expedition againſt the Scots; afterwards he had the like imployment, under the Earle of *Eſſex*: and laſtly, under Sir *Thomas Fairfax*, a great Gainer by his employments, but withall, a great Antimonarchiſt, and a Saint in *Cromwells* Rubrick, and therefore had a magnetique virtue both living and dead to draw money to him in abundance. Upon occaſion of this Debate, *Haſlerigge* moved, *That 6 Gentlemen of the beſt quality* [*Royaliſts*] *might be put to Death as a revenge for* Doriſlaus, *and to deterre men from the like attempts hereafter.* (That you may the better ſee of what Spirit *Haſlerigge* is, know, That ſome Northerne Counties having petitioned the Commons for reliefe, againſt the miſerable famine raging there: *Haſlerigge* oppoſed their requeſt, ſaying, *That want of food would beſt defend thoſe Counties from Scotiſh Invaſions.*) What man that had any ſenſe of Chriſtianity, Courage, Honeſty, or Juſtice, would have beene the Authour of ſo barbarous and unjuſt a motion, That 6. Gentlemen no way conſcious nor privy to the fact ſhould be offered up a ſacrifice to revenge and malice; nay, to guilty feares and baſe cowardize, to keep off the like attempts from *Haslerigge* and his Party. I wiſh this Gentleman would read the *Alchoran* (or new Independent Bible of the new Tranſlation) and from thence gather precepts of more Humanity, Juſtice, Honeſty and Courage, ſince he hath Read the Old and New Teſtament of *Moſes* and Chriſt to ſo little purpoſe. Yet the Houſe, 18. *May*, paſſed a Declaration, *That if more Acts of the like nature happened hereafter, it ſhould be retaliated upon ſuch Gentlemen of the Kings Party as had not yet Compounded.* But this is but a device to fright them to Compound, unleſſe it be a forerunner to a Maſſacre heretofore taken into conſideration at a Councell of Warre:

1641. An Act declaring more new Treaſons.

About this time came forth that prodigious Act, declaring 4 *new Treaſons* with many complicated Treaſons in their bellies, the like never heard of before in our Law, nor in any Kingdome or Republike

publike of Christendome: Because I have formerly spoken of it, & the Act it selfe printed, publisht & dreadfully notorious throughout the whole Kingdom; I will referre you to the printed Copy: only one clause formerly debated was omitted in the Act, *viz. That to kill the Generall, Lieut Gen: any Member of this present Parl. or Councell of State, to be declared, Treason,* this would have discovered their guilty cowardize so much they were ashamed of it: besides, it was thought fit to make the People take a new Oath of Allegiance to the new State. First, I will only give you some few Observations thereupon. This Act declares to be Treason unto death and confiscation of Lands all Deeds, Plots, and Words: (1.) Against this present fagge end of a Parliament, and against their never before heard-of Supreme Authority and Government: for, when was this Kingdome ever governed by a Parliament, or by any power constituted by them? (2.) All endeavours to subvert *the Keepers of the Liberties of* England & *Councell of State* constituted, and to be from time to time constituted by Authority of Parliament, who are to be under the said Representatives in Parliament, (if they please, and not otherwise; for the *Sword* and the *Purse* is trusted in the power of the Councell of State) yet *the Keepers of the Liberties of England,* and *the Councell of State of England to be hereafter constituted by Parliament*, are *Individua vaga*, ayrie notions not yet named nor knowne; and when they are known we give them no Allegiance, (without which no Treason) by the knowne Lawes of the Land, which is onely due to the King, His lawfull Heires and Successours, and thereto we are sworne; nor are the particular Powers and Authorities, granted by this Parliament to the said Keepers of the Liberties of *England*, and Councell of State yet any where authentically published and made knowne to us by any avowed Act (unlesse we shall account their Lycensed Newes Books to be such) and therefore they may usurpe what powers they please; So that these men who involved us in a miserable Warre against the late murthered King, pretending He would enslave us, and they would set us free; have brought us so farre below the condition of the basest Slaves, that they abuse us like brute Beasts, and having deprived us of our Religion, Lawes and Liberties; and drawne from us our money and bloud, they now deny

us the use of reason and common sence, belonging to us as men, and Govern us by arbitrary, irrationall Votes, with which they bait traps to catch us; woe be to that people whose rulers set snares to catch them, and are *amari venatores contra dominum*, Men-hunters against God; nay, *to move any person to stirre up the People against their Authority is hereby declared Treason*; marke the ambignuty of these words (like the Devils Oracles) which he that hath Power and the sword in his hands will intercept as he please: If the keepers of the Liberties of *England*, or Councell of State shall extend to farre, or abuse the Authority never so much contrary to the Lawes of the Land, Reason, Justice, or the Lawes of God (as hath been lately done in the Case of *Lilburne*, *Walwin &c.*) no Lawyer, no Friend shall dare to performe that Christian duty of giving Councell or helpe to the oppressed; here Fathers and Children, Husbands and Wives, Brothers and all relations must forsake, nay betray one another; least these Tyrants interpret these duties to be, a moving of them *to stirre up the People against their Authority.* 3. *All endeavoers to withdraw any Souldier or Officer from their obedieace to their superior Officer, or from the present Government*, as aforesaid; by which words it is Treason: First, *if any mans Child*, or Servant, be enticed into this Army, and the Father or Master endeavour to withdraw him from so Plundring and roguing a kind of Life back to his profession. Secondly, *if any Commander or Officer* shall Command his Souldiers to violate, wrong, or rob any man for the party so aymed at, or some well meaning friend to set before the said Souldiers the sinne and shame of such actions, and disswade them from obeying such unlawfull commands. 4. if any man shall presume to counterfeit their counterfeit Great Seale, it is declared Treason. I wonder it is not Treason to counterfeit their counterfeit Coyne! Behold here new minted Treason current in no time nor place but this afflicted Age and Nation: *Edw.* 3. *Anno* 25. *regni*, *ch.* 2. passed an excellent Act to secure the people by reducing Treasons to a certainty; as our new Legislative Tyrants labour to ensnare the people by making Treasons uncertain and Arbitrary; what they please to call Treason shall be Treason, though our known Lawes call it otherwise: we have long held our Estates and Liberties, and must now hold our Lives

Sic volo, sic jubeo, it shall be Treason, because they will call and Vote it so.

at

at the will of thoſe grand Seigniours, one Vote of 40. or 50. factious Commons, Servants and Members of the Army vacates all our Lawes, Liberties, Properties, and deſtroyes our Lives. Behold here a ſhort view of that Act which hath no additions by any Act ſubſequent. See *ſtat.* 1 *Mariæ, c.* 10. Whereas diverſe opinions have been before this time, in what caſes Treaſon ſhall be ſaid, and in what not; The King at the requeſt of the Lords and Commons, Declares:

1. *That to compaſſe or imagine the Death of the* KING, (how much more to act it) *Queen, or their eldeſt Son and Heyre.* See 1.H.4.c.10 11.H.7.c.1.

2. *To violate the* KING'S *Companion, eldeſt Daughter unmarried, or the Wife of the* KING'S *eldeſt Son and Heyre.*

3. *To leavy Warre againſt the* KING, *or adhere to His Enemies in his Realm, and thereof be proveably attainted of open deed by people of their condition.*

4. *To counterfeit the* KING'S *Great or Privie Seale:*

5 *Or His Money.*

6. *To ſlay the* KING'S *Chancellour, Treaſurer, Juſtices of one Bench or other, Juſtices in Eyre, Juſtices in Aſſize, and all other Juſtices aſſigned to hear and determine, being in their places doing their Offices.*

If any other caſe ſuppoſed Treaſon which is not above ſpecified, doth happen before any Juſtices, the Juſtices ſhall tarry without any going to Judgment of the Treaſon, til the Cauſe be ſhewed & declared before the KING *and His Parliament* (not before the Houſe of Commons onely, or before both Houſes without the King) *whether it ought to be adjudged treaſon.* So the 4. Lords ought to have been Tried, not by a new ſhambles of Juſtice.

You ſee how few in number theſe Treaſons ſpecified are, and that they muſt be attainted of open deed by their Peers; our words were free under *Monarchy, though not free under our Free-State*: ſo were they under the Romans. *Tacitus, An.* 1. *ſub finem,* ſpeaking of Treaſons, *facta arguebantur, dicta impune erant.* Theſe horrible tyrannies conſidered (and being deſtitute of all other leſſe deſperate reliefe) I doe here ſolemnly declare and proteſt before that God that hath made me a Man and not a Beaſt, a Free-man and not a Slave, that if any man whatſoever taketh upon him the Reverend name and Title of *a Judge or Juſtice* ſhall give Senrence of death upon any freind of mine upon this

or

or any other illegall Act of this Piece of a House of Commons, I will and Lawfully may (the enslaving scar-crow doctrine of all time-serving, State flattering Priests and Ministers, notwithstanding) follow the Examples of *Sampson, Judith, Jaell,* and *Ehud, and by Ponyard, Pistoll, Poyson, or any other means whatsoever, secret or open, prosecute to the Death the said Judge and Justice; and all their Principall Abettors*: and I doe hereby invite and exhort all generous freeborne English men to the like resolutions, and to enter into Leagues defensive and offensive, and sacramentall associations (seven or eight in a company, or as many as can well confide in one another) to defend and revenge mutually one anothers Persons, Lives, Limbs, and Liberties as aforesaid, against this and all other illegall and Tyrannous Vsurpations.

162 A motion to enlarge S. *Wil. Waller*, &c. And the Generalls Answer, intimating the securing of the Members to be done by confederacy with the Army party in the House.

About this time or a little before, the General was moved to enlarge Sir *Wil. Waller*, and the other Members illegally kept Prisoners at *Winsor*: he answered, *They were no longer his, but the Parliaments Prisoners*: It should seem the Brute hath made a private deed of gift of them to his Journymen of the House. The Generals warrant seized & imprisoned them, notwitstanding the Councel of Officers declared in Print, *That they were preparing a Charge against them*, yet the Knaves lied like Saints; they were then so far from having matter to accuse them of, that they have ever since, hunted after a Charge against them, and endeavoured to suborne witnesses; but after 24. Weeks restraint (whereas by the Law *no man ought to be Committed without an accusation*) they have found nothing against them. This turning over of these prisoners to their House of Commons proves what I formerly asserted, 24. *That the violence of the Army in securing and secluding the Members, was by consent of their Somerset-house Junto now sitting in the House of Commons.*

163 The Generall sends forth warrants to all Justices of the Peace to attach those Levellers that he had routed.

The honest Levellers (most of them Country men) endeavouring to draw to a Randezvouz, about 600 or 700 of them marched from *Banbury* to *Burford* in *Oxfordshire*, where lying securely (because they were upon treaty with the Enemy) their Quarters were beaten up, and about 180 of them taken Prisoners, which their Enemies (according to their usuall custome) to gaine reputation by lying, reported to be so many hundreds.

And

And the Generall (as if they had been all routed) sent forth his Warrants to all Justices of the Peace in the adjacent Counties, requiring them, *to apprehend and secure all such of them as shall be found*; I desire to know by what Authority the Generall takes upon him to command Iustices of the Peace who are not under his power, and what tame Animals these Iustices are that will submit to his commands: And whether he thinks the Civill Magistrats to be obnoxious to the Power of the Sword and the Councell of Officers? and his single selfe the Supreme Magistrate or Tyrant Paramount, notwithstanding the Vote of his Iourney-men Commons, *That no single Man should be trusted with the Supreme Power.*

See the Vote and Act for abolishing the Kingly office.

164 The Levellers having possessed themselves of *Northampton*: the Generall (it is said) thought fit to take hold of the Hornes of the alter, and wrot to his vassalls of the City to send their Trained Bands to his reliefe that he might the better domineere over them, and continue their slavery hereafter. But if the Citizens have no more wit, I wish their Hornes may be as visible in their fore-heads, as the Nose in *Olivers* face.

164 The Generall sends to the City for additionall Forces.

165 To cozen the Honest Levellers, the Commons (in Order to the ending this present Parliament) are debating how to pack a succeeding Representative as wicked as themselves and of the same leaven; whose Election shall not be free, but bounded with such Orders of limitation and restriction as shall shut out all men from electing or being elected, as are not precisely of the same principalls and practises, and as deepe engaged in their Tyrannicall, Trayterous, cheating, bloody designs as themselves, guilty Committee-men, and Accountants to the State shall be the next Representative; and for the better lengthening of the businesse (that they may see what successe (in the meane time) the Levellers will have) they wire-draw it through a Committee, and referred it to be debated by a Committee of the whole House. And at last (if they must dissolve) having packed themselves into a Councell of State, they will usurpe the supreme Authority there: to prepare the way to which design, they have passed another Act, *May* 19. *That the People shall be Governed as a Free State, by representatives, and by such as they shall constitute*; and then consider what kind of Representative we are like to have.

165 The Cōmons colourably debate to dissolve this Parl. and settle a succeeding Representative.

166 A debate how to defeat Iudgments, extents, &c. upon Delinquents Lands.ſect.

Great care is taken that the State (or rather our States-mens private pockets) might not be prejudiced by Judgments, Extents &c. lying upon Delinquents Eſtates: you ſee notwithſtanding their declaratory Vote, *That in things concerning the Lives, Liberties, and Properties of the People, they would maintaine the known Laws of the Land*; *yet this Vote* (as well as all others) hath a condition implied, that it do no waies hinder the Gains of our Godly Grandees, otherwiſe they would not conſider how to defeat Creditors of their Legall aſſurances.

167 *John Lilburns* ſtarving imprisonment in the Tower. The allowance is 4l.a Weeke as I conceive.

John Lilburne being ordered a cloſe Priſoner in the Tower by the Commons without Pen, Inke, or Papert, (which was tyranny under King *Charls*, but not under King *Oliver*) a Petition was preſented to the Commons by many well-affected, that *John* might have the allowance uſually and legally due to Priſoners in the like caſe for his ſupport; which was rejected, inſomuch that *John* was kept three whole daies with one halfe meals meat: this is to condemne men unheard to be murthered by Famine in their *Private ſlaughter houſes*, when they cannot, or dare not murther them in their *pretended Courts of Judicature, or publique ſhambles:* yet afterwards when the drawing together of the Levellers, and diſcontents of *New-caſtle* affrighted the Commons, they voted him the ſhort allowonce of 20 ſhillings a weeke. Thus you ſee nothing but *fears and dangers* can kindle the leaſt ſparke of goodnes and compaſſion in their Woolviſh breaſts: wherefore Lord (I beſeech thee) heape fears and terrors upon their guilty pates till with *Iudas Iſcariot* they cry out, *we have ſinned in that we have betrayed innocent blood.*

168 Why *Ireton* laid downe his Commiſſion.

Cromwell being to march againſt the Levellers, left *Ireton* behind him (like a Hobby daring of Larks) to over-awe the conventicle at *Weſtminſter*, and ſee they chaunt no tune but of their ſetting, the better to keep himſelfe in a neutrall reconciling poſture: *Ireton* laid down his Commiſſion (which he can take up againe at pleaſure) whereby he puts off all addreſſes to him from the Levelling party for the preſent. This poore Fellow now keepeth his golden Coach which coſt 200l. and 4. gallant Horſes. The world is well altered with ſuch petty Companions; and hereby the Souldiers may ſee what becomes of their Arreares. There hath been a ſeeming falling out between *Cromwell and Ireton.*

Iohn

169. *Hugh Peters* viſits *I. Lilburn* in the Tower, and the ſumme of their conference. Witneſſe his tampering with *Hamilton &c.*

Iohn Lilburne being a cloſe Priſoner in the *Tower* (as hath been ſaid) *Hugh Peter* (Chaplain in Ordinary to two great Potentates, *Lucifer* and *Oliver*) came about dinner time (*May* 25. 1649.) to viſit him, and though admittance be denied to other men, yet to him the Gates flew open: as ſure as Saint *Peter* keeps the keys of Heaven, *Hugh Peters* keepes the Keyes of our Hell and our Grandees Conſciences, and openeth and ſhutteth at pleaſure; he is Confeſſor to Tyburne, and hath a great power over damned Spirits, or rather over ſuch Spirits as not ſubmitting baſely to the tyranny of our State Mountebanks, incurre their condemnation in this world, (by Gods permiſsion) in order to their ſalvation in the next world: the tyranny of theſe Uſurpers implying at once, their cruelties over our Bodies, and Gods mercy to our ſoules. *Hughs* firſt ſalute was, *That he came meerly to give* John *a viſite, without any deſigne*, (his guilty conſcience prompting him to a voluntary Apology) *Iohn* anſwered, *I know you well enough, you are one of the ſetting Dogs of the great Men of the Army, with faire and plauſible pretences to inſinuate into Men, when they have done them wrong, and to worke out their deſignes when they are in a ſtrait; and cover over the blots that they have made.* Then *Iohn* complained of the † *illegall and violent ſeizing upon him by Souldiers, and carrying him before that new erected thing, called,* [A Councell of State] *who committed him without any Accuſor, accuſation, Proſecutor, or Witneſſe, or any due proceſſe of Law:* and *yet when the King impeached the* 5. *Members and preferred a Charge of High Treaſon againſt them*; Recorded 1. part Booke of Decl. p. 35. *and onely failed in a ſingle punctilio of due proceſſe of Law*, they cried out, *it was an invaſion of the Peoples Liberties: ſo that four or five Recantations from Him* (Recorded in their owne Declarations) *would not ſerve His turne. Peters* halfe out of countenance (if ſo proſtituted a Villaine that practiſes impudence amongſt common Whores, and whoſe Pulpit is more ſhamefull than another mans Pillory, can be out of countenance) takes up one of *Cokes* Inſtitutions, and profeſſed *Lilburn was meerly gulled in reading or truſting to thoſe Books, for there were no Lawes in* England. *Iohn* anſwered. *he did believe him, for that his great Maſters*, Cromwell, Fairfax, *&c. had deſtroyed them all. Nay*, (quoth *Hugh*) *there never was any in England:*

† Compare this Act of the Kings, with the violent act of thoſe Traytors and Tyrants, *Fairfax* & his Councell of Warre in impriſoning and ſecluding above 200. Members at once without cauſe ſhewne, & leaving only 40. or 50 of their cheating Faction in the Houſe to carry on their bloudy anarchicall deſignes; ſome of which ſecured Members with barbarous uſage were almoſt brought to death, and their murder ſince attempted by ſoldiers.

England: with that *John* shewed him *the Petition of Right*, asking him, *whether that were a Law?* which *Peters* had the impudence to deny, asking *What Law was? John* replied * out of the Parliaments owne Declarations, *The Law is that which puts a difference betwixt good, and evill; just, and unjust: If you take away the law, all things will fall into confusion, every man will become a law unto himselfe; which in the depraved condition of humane nature must needs produce great enormities: lust will become a law, envie a law, Covetousnesse and ambition will become lawes: and what dictates, what decisions such lawes will produce may easily be discerned. This (Master* Peters*) is a Definition of Law by the Parliament in the daies of their primitive purity, before they had corrupted themselves with the Common wealths money. And elsewhere the Law is called the safeguard, the custody of all private Interests, your honors, lives, liberties and estates, are all in the keeping of the law, without this every man hath a like Right to any thing; It is the best birth right the Subject hath: it is a miserable servitude or bondage where the law is uncertaine or unknowne.* To This the Comick Priest replyed, *I tell you for all this*) *there is no Law in this Nation but the Sword, and what it gives; neither was there any Law or Government in the world but what the Sword gave.* To this the honest Leiutenant Colonel answered, *Master* Peters, *You are one of the Guides of the Army, used by the chief Leaders to trumpet their Principles and tenents; and if your reasoning be good, then if six Thieves meet three or foure honest men and rob them, that act is righteous, because they are the stronger Party.* And *if any power be a just power that is uppermost, I wonder how the Army and Parliament can acquit themselves of being Rebels and Traytors before God and Man, in resisting and fighting against a just power in the* King, *was a power up and visible, fenced about with abundance of Lawes, so reputed in the common acceptation of all Men, by the expresse letter of which all those that fought against Him, are* (ipso facto) *Traitors, And if it were not for preservation of our Lawes and Libertyes, why did the Parliament fight against Him, a present power in being? and if there be now no Lawes in* England, *nor never was, then you and your great Masters,* Cromwell, Fairfax, *and the Parliament are a pack of Bloody Rogues and Villains, to set the People to murder one another, in fighting for preservation of their Lawes (in which their*

* The Law is now taken away and all things in confusion by turning our Monarchy (without our consent) into a Free State of Slaves governed by tirants.

This doctrine of Devils, that it is lawfull to submit to any present power that is strongest; is broached in a pamphlet by old *Rowse* the illiterate Jew of *Eaton Colledge* And by *John Goodwin* the sophistical Divine: which is fully confuted in *A Religious Demurrer concerning submission to the present power*, an excellent piece.

their Liberties were included) *which was the principall declared Cause of the Warre from the beginning to the end. I thought* (quoth the Leiutenant Colonell) *I had been safe when I made the knowne Lawes the rules of my Actions, which you have all sworne and declared to Defend; and make as the Standard and Touchstone between you and the People.* * *I but* (replyed *Hugh*) *I will shew that your safety lies not therein, their minds may change, and then where are you? I but* (quoth the Lieutenant Colonel) *I cannot take notice of what is in their minds to obey that: but the constant Declaration of their minds* (*never contradicted in any of their Declarations*) *as That they will maintaine the Petition of Right, and Lawes of the Land &c.* This was the substance of their discourse, saving that *John* pinched upon his great Masters large fingering of the Common-wealths Money, calling it *Theft* and *State-Robbery*, and saying, *That* Cromwell *and* Ireton *pissed both in one quill, though they seem sometime to go one against another; yet it is but that they may the more easily carry on their main design, To enslave the People.*

* The Lawes are now no protection to us, nor the rule of our actions, but the arbitrary wills and lusts of the Grandees.

Reader, I was the more willing to present the summe of this Debate to thee, that by comparing their doctrine and principles, with their daily practises, thou mayest perfectly see to what condition of slavery these beggarly upstart Tyrants and Traytors have reduced us by cheating us into a Warre against our lawfull Soveraigne, under pretence of *defending our Lawes and Liberties, and the Priviledges of Parliament*, which themselves onely (with a concurring faction in the House) have now openly and in the face of the Sunne pulled up by the roots: and now they stop our mouths, and silence our just complaints with horrid, illegall and bloudy Acts, Declaring, words and deeds against their usurpations and tyranny, to be High Treason: nothing is now Treason but what the remaining faction of the House of Commons please to call so. *To murder the King, break the Parliament by hostile force, put down the House of Lords, erect extrajudiciall High Courts of Justice to murder Men without Tryal by Peers or Jury, or any legal proceeding; to subvert the fundamentall Government by Monarchy, and dispossesse the right Heyre of the Crowne, and to usurp his Supreme Authority in a factious* ſ. gge end of *the House of Commons, to put the Kingly Government into* a packed Junto of forty Tyrants, called, *A Councell of State; to exercise Martial Law in*

Sect. 162.

times of peace, and upon Perſons no Members of the Army; *to raiſe* what unneceſſary illegall Taxes they pleaſe, and ſhare them and the Crowne Lands and Revenues amongſt themſelves, leaving the Souldiers unpaid to live *upon Free-quarter*, whilſt they abuſe the People with pretended *Orders againſt Free quarter*; *to alter the Styles of Commiſſions, Patents, Proceſſe, and all Legall proceedings, and introduce a forrein Juriſdiction*; *to Counterfeit the Great Seale and Coyne of the Kingdome*, and to *keep up Armies of Rebels* to make good theſe and other tyrannies and Treaſons, is *High Treaſon by the known Lawes*; but now (by the Votes of the Conventicle of Commons) it is *High Treaſon to ſpeake againſt theſe Crimes*. Good God! how long will thy patience ſuffer theſe Fooles to ſay in their hearts *there is no God?* and yet *profeſſe thee with their mouthes*? to break all Oathes, Covenants, and Proteſtations made in thy name, to cloake and promote their Deſignes with dayes of impious faſting and thankſgiving? how often have thy Thunderbolts rived ſenſleſſe Trees, and torne brute Beaſts that ſerve the according to their Creation? yet thou paſſeſt over theſe men who contemne thee contrary to their knowledge and profeſſions: *Scatter the People that delight in Warre*: *Turn the Councells of the wiſe into folly, let the crafty be taken in their owne net*; and now at laſt, *let the Oppreſſed taſt of thy mercies, and the Oppreſſor of thy juſtice*; throw thy rod into the fire, and let it no longer be a bundle bound together in thy right hand. They appeale to thee *as Author* of their *proſperous ſinnes*, become (Lord) *Author of their juſt puniſhments*; beſtow upon them the *reward of Hypocrites*, and teach them to know the difference between the *ſaving ſtrength* of Magiſtrates, and the *deſtroying violence* of Hang-men: But what am I that argue againſt thy long-ſuffering (whereof my ſelf ſtand in need) and ſeeke to ripen thy vengeance before thy time? *ſhall the Pot aske the Potter what he doth? I beheld the proſperity of the wicked, and my feet had almoſt ſlipped*: *Lord amend all* in thy good time, and teach us heartily to pray, *thy will be done in Earth as it is in Heaven.*

170 The act for abolishing Monarchy proclaimed in London.

May 30. 1649. The aforeſaid trayterous Act for *abolishing Kingly Government*; and converting *England* into a free State: (conſiſting of forty Tyrants, and many millions of Slaves) was proclaimed in *London* by the newly intruded *illegall Lord Mayor Andrewes*,

Andrews, accompanied with 14 Aldermen of the same pack; the People in great abundance crying out, *away with it, away with it, God save King Charles the second*: and bitterly reviling and cursing it and them, untill some Troops of Horse (ready prepared in secret) were sent to disperse, beat, and wound them: and yet the *Triall of the King*, and the subverting of our well-formed *Monarchy* (under which we lived so happyly heretofore) with all other Acts of the like high nature was done *in the name of the People of England*, although (I dare say) at least *five hundred to one* (*if they were free from the terror of an Army*) *would disavow these horrid Acts*; so little are the People pleased with these doings: notwithstanding the *new Title* the Conventicle of Commons have gulled them withall, Voting the People of *England* to be the *Supreme Power*, and the Commons representing them in Parliament, *the Supreme Authority of the Nation* under them: this was purposely so contrived *to engage the Whole City*, and make them as desperately and impardonably guilty as themselves: and certainly if this Tumult of the People (*amounting to a publique disclaimour of the Act*) had not happned, the whole City had been *guilty by Way of connivance*, as well as these *Aldermen*, and the *illegall common Councell*, newly packed by the remaining faction of Commons, contrary to the Cities Charters, to carry one these and such like designs, and *entangle the Whole City in their Crimes and Punishments.*

¶ *The Names of the Lord Mayor and Aldermen of the City of* London *that personally Proclamed the Act* for abolishing Kingly Government.

Alderman *Andrewes*, Lord Mayor.

Alderman *Pennington.*	Alderman *Bateman.*
Ald. *Wollaston.*	Ald. *Atkins.*
Ald. *Foulkes.*	Ald. *Viner.*
Ald. *Kenrick.*	Ald. *Avery.*
Ald. *Byde.*	Ald. *Wilson.*
Ald. *Edmonds.*	Ald. *Dethick.*
Ald. *Pack.*	Ald. *Foot.*

The

171 A Thanks-giving Dinner in the City for the Generall, &c.

The Pharaſiticall Houſe of Commons voted an Act, 1. *Iune.* for a day of Thankſgiving to ſet off King *Olivers* Victory over the Levellers with the more luſtre; and to ſing *Hoſanna* to him for bringing the Grand Delinqnent to puniſhment. The wiſe Lord Mayor and his Bretheren (in Imitation) invited the Parliament, Councell of State, the Generall, and his Officers, to a Thanks-giving dinner upon that day. The Commons appointed a Committee (under pretence of drawing more mony from Adventurers for Relief of *Ireland*) to engage the City farther to them; *Cromwell* had the Chaire in that Committe: the device was, that the Common Councell ſhould invite the Parliament, Councell of State, and officers of the Army to Dinner, and feaſt them as a free State, and then move the ſupplies for *Ireland*. But if the Levellers had prevailed, the Thanks giving white-broth and cuſtard had been beſtowed upon thoſe free ſpirited Blades, whom *Oliver raiſed into a Mutiny with one hand, and* (by advantage of his ſpies) *caſt down with another*, for the glory of his own name, *and that he might have an occaſion to purge the Army* (*as he had done the Parliament*) *of all free borne humours.*

172 The Councell of State ſit in Pomp at *White hall.*

White-hall is now become the Palace of a *Hidra of Tyrants inſtead of one King*, where our *Hogens Mogens or Councell of State* ſit in as much State and ſplendor with their Rooms as Richly hanged (I wiſh they were ſo too) and furniſhed (if you will believe their Licenced News Books) as any Lords ſtates in *Europe*; yet many of theſe *Muſhromes of Majeſty were but Mechanicks*, Gold-ſmiths, Brewers, Weavers, Clothyers, Brewers Clerks, &c. whom ſcornfull Fortune in a ſpitefull meriment brought upon the Stage, and promoted to act the parts of Kings (to ſhew that men are but her Tennis-bals) and when ſhe is weary with laughing at their diſguiſes, will turne them *into the Tyring Roome out of their Borrowed caſes*; and ſhew us that our *Lyons are but her Aſſes*. The Kings poore Creditors and Servants may gape long enough (like Camelions) to ſee the aforeſaid Ordinance executed, *for ſale of the Kings goods to pay their Debts*: they (poore Soules) are left to ſtarve while theſe Saints Triumphant revell in their Maſters Goods and Houſes.

173 Orders about this time were ſent forth into *London* and the Counties adjacent *for certaine Committees to enquire upon Oath and*

and certifie the improved value and revenue of every Mans Eſtate real and perſonall, wherein good progreſſe hath been made already; the like is to go forth throughout the Kingdome. That our forty Mechanick Kings now ſitting in *White-hall*, and the ſelfe created Supreme Authority of the Nation, may take an exact ſurvey (in Imitation *of William the Couquerours Booke of Survey*, called *Doomes-day*, remayning in the *Exchequer*) of their new conquered Kingdome, and know what they are like to get by their vilanies; and how to load us with Taxes and Free Quarter, and what the value of their Eſtates are when they have compleated their deſign *of Sequeſtring the Presbyterians as they have done the Royaliſts.*

A General ſurvey to be taken of the whole Kingdom, that every mans Eſtate reall and perſonall may be taxed.

The Faction in the Houſe are this beginning of *Iune*, 1649, ſitting abrood upon an Act *to enable Committees to give Oathes in ſome caſes*; and yet the *Houſe of Commons never had* nor pretended to have *power to give Oathes* themſelves (though every Court of *Pye-Powders* hath) becauſe the *Houſe of Commons is no Court of Judicature*, but only the grand inqueſt of the Kingdome, to preſent to the King the grievances and the neceſſities of the People by way of humble Petition; as appears by our Law-Books and Statutes: and therefore the Commons can grant no more then they have themſelves. But now the remaining faction of the Houſe have Voted themſelves to be *the Supreme Authority of the Nation*, and have a ſword to Maintaine it, they and we muſt be what they pleaſe: yet I muſt affirme, that to take illegall Oathes is neither juſtifiable before God nor Man, and no leſſe then damnable. But (it may be) that by accuſtoming the People to take theſe new impoſed, illegall Oathes, they hope to make them the more eaſily ſwallow their intended *new Oath of Allegiance* to their new State, and their own Dammation together hereafter.

174 An Act enabling Committees to give Oaths.

All the Scrivenors about the Towne are commanded by the Supreme thing to produce their Shop-books; that notice may be taken who are guilty of having mony in their purſes, that the fatteſt and fulleſt may be culled out and ſequeſtred for Deſinquents, now that their Almighty Saint-ſhips have occaſion to uſe it for defence of their Free State, if they would but ſearch one anothers private Pockets they would find mony enough. The like atrempt (only) in the Kings time was cried out upon as a high

175 Scrivenors commanded to ſhew ſhop-books.

high peece of tyranny, but nothing can be tyranny under a Free-state: The Supreme Authority being so full a Representative glasse of the People, that it takes our very substance into it self, and leaves us onely the shadow, whilst we wander up and downe like our owne Ghosts, who having lived under the Monarchy of Good KING *CHARLES*, are now dead and descended like shades into the Kingdom of *Pluto*.

176. The aforesaid Thansgiving solemnized.

The 7. June, 1649. The thanks-giving (spoken of 172) was solemnized in the City: the Lord Mayor meeting the Speaker, resigned to him (as formerly was used to the King) the Sword of State (as had been ordered by the House the day before) and received it again from him: and then the Mayor conducted them all to *Christ-Church*, where the Commons, Councell of State, Generall, and his Officers, together with the Mayor, Aldermen, and Common Councell, &c. mocked God with their Devotions, where Master *Thomas Goodwin*, and M. *Owen* preached out of the Politicks to them; from whence they were conducted to a great Dinner at Grocers Hal, and entertained in the quality of a Free-State; no man being admitted without delivering his Ticket. They were all strongly guarded with souldiers, and every Cook had an Oath given to be true to them, which shewed they had more fear and guilt than confidence and innocency within them. Great Presents of Plate given to his Excellency *Fairfax*, and to his super-excellency *Cromwell*, and to others, fit to be cronicled in *Stowes*, and *Hollingsheads* Volumes, amongst other solemne Fooleries, let it not be omitted that *Hugh Peters* and many other *Saints* were too full of the Creature (*anglice*) Drunk.

177 A necessary advertisement to all honest Presbyterians. See K. *Charles* the First his Book, [*the portraicture of his Majesty in His solitude and sufferings*]

I am to give a necessary advertisement to all men; that though the young King shewes much respect and a desire of reconcilement (according to his dead Fathers never dying precepts) to all moderate men and Presbyterians that make Addresses to Him, yet it is complained of by some (who look not into the undermining practises of our New Statists) that some few of His Counsellors and Followers are as violent against the more moderate and honest Presbyterians, as against the Independents who

Some over-hastily expect the King should satisfie the Presbyterians by his Declaration; but the heighth of the Independents malice and their guilty fears are such as may endanger the drawing on a Massacre upon them by such a course.

murdered.

murdered His Father; but theſe zealous Royaliſts are either ſome paſſionate light-brain'd men of little diſcretion and leſſe powes with Him, or elſe ſome falſe-hearted Penſioners to our new State, and ſuch as have under hand an Indempnity for their owne Eſtates in *England*; who ſtand like Scar-Crowes about His Majeſty ro fright away ſuch as returne to their Loyalty; and tender their due allegiance to Him, thereby to weaken the Hands of His Majeſty; and cut off the hopes of this Nation from depending upon Him, who as our undoubted Soveraigne (both by the Lawes of God and the Land) and Gods Vice-gerent in His three Kingdomes, onely can and will (if we forſake not him and our ſelves) free and protect us from the many headed, miſerable, arbitrary tyranny we now ſtarve and bleed under; and reſtore unto us againe our Religion, Lawes and Liberties, our Wives, Children, and Eſtates, Trading, Husbandry, peace and plenty now held in more than Ægyptian bondage, under our cruell, bloody & thieviſh Taskmaſters; *Remember his deceaſed Majeſties gracious Meſſages* frequently ſent for peace and reconcilement; *Remember His Conceſſions* to His Parliament upon the laſt Treaty; (more then ever any King granted to His People.) *Remember His pious, meek and Chriſtian Martyrdome* ſuffered for His People, which bitter Cup had paſſed from Him if He would have built up and eſtabliſhed this *Babel* of Tyranny now inſulting over us, and have turned our wel-mixed Monarchy into an Olygarchicall legall Tyranny, by adding His Royall Aſſent to their wicked Demands tendered to Him but two daies before His tranſlation from this valley of teares. *Remember His Poſthumus Booke to his Sonne, full of precepts*, ſavoring meerly of piety, Chriſtian wiſdome, charity and forgiveneſſe, to His very Enemies; and then judge whether our late King, or our uſurping Kinglings (now ſcratching and tearing us, making one Warre beget another, perpetuating an Army, and domineering over us by the power of the Sword) were the naturall Parent whoſe bowels yearned upon this (now) Orphan Child, the Engliſh Nation dying and expiring under this new Corporation of Tyrants, (the putative Parent) which overlayed it? He that acknowledged Allegiance to the Father, cannot deny it to his Sonne, as having *ſworn to bear faith and true Allegianc to the King his Father, and to his lawfull Heyres and*

See a Booke, entituled, [*His Majeſties Gracious Meſſages for Peace*] and Maſter *Pryns* Speech, 5. Dec. 1648. in the Houſe, and the ſecured Members Reply to the Councell of Warre.

1 King. 3.

Oath of allegiance, & ſtat. of Recognition, 1 *Jacobi.*

and ſucceſſors; which our uſurping *Hogens Mogens* cannot pretend to be: ſo that as well for duty and conſcience to God, and their own Souls, as for a neceſſary and juſt protection of their Lives and eſtates, all honeſt and wiſe men ought to caſt themſelves into the Arms of his Dread Majeſty our preſent King, as the only ſanctuary of their Salvation, and not ſuffer themſelves to be ſo farre miſled by vaine Reports, as to be more affraid of their cure then of their diſeaſe.

Stultorum incurata pudor Malas ulcera celat.

Dictum de Kenelworth.

Solomon hath ſhewed you out of the Cabinet of nature the difference between a Naturall Mother and a Step Mother, and that you may ſee the difference between a naturall King, correcting his own People with fatherly compaſſion for examples ſake; and a Uſurper, wounding, killing and Robbing (thoſe which are none of his own) his fellow Servants for his luſt and lucre ſake, I will ſet downe a ſhort abridgement of our own famous *Dictum de Kennelworth*, and firſt the occaſion thereof, which was thus.

Simon de Montford, Earle of *Leiceſter*, conſpiring with many other great men, Rebelled againſt *Henry* third. Pretending (after the manner of all Rebells) *Reformation of Publique grievances.* He overthrew the King in Batle, tooke him and his Sonne Prince *Edward* Priſoners; the Prince after a while eſcaped out of Priſon, raiſed an Army, overthrew and ſlew in the battle of *Eveſham Simon Montford*, ſubdued the whole Party, reſcued and re-inthroned his Father. Commiſſioners were ſent forth to prevent future troubles, and ſettle mens minds growne deſperate with feare what horrid puniſhments ſo horrable a Rebellion would bring upon them: the reſult of all is contained in the ſaid *Dictum de Kennelworthe* as I find it in *Magna Charta veteri*, *fol* 60. *part* 2. obſerve the moderation of it; No man bled to death for it but in the field; the blood of Warre was not ſhed in time of Peace: The King did not ſlay thoſe whom he had taken with his Sword and with his Bow, but reaſonably fined them, not unto diſtruction; though the known Laws called them *Traytors*, and put them into his power for life, lands and goods; they were but once puniſhed, not alwaies tormented and kept upon the rack, after the late cuſtome of our fellow Servants and Subjects; who will never ſuffer the Partician wall between us to be thrown down, *England* once more to become one nation, & one

See the late Hiſtory of the Marqueſſe of *Montroſs*, what gentle uſe he made of his victory after he had ſubdued the ſtrength of *Scotland* at the Battle of *Kilſyth*.

one People; and our broken bones to be againe set and knit together.

Dictum de Kennelworth.

None to be Dis-inherited, but onely fined: As namely, those.

1. *That began and continued in War.* 2. *That held* Northampton *against the King.* 3. *That fought against him at* Lewis, Evesham, Chesterfield. 4. *That were taken at* Kenilworth. 5. *That sacked* Winchester, *being yet unpardoned.* 6. *That voluntarily sent against him, or the Prince.* 7. *The Officers of the Earle of* Leicesters *who molested their Neighbours with Rapine, Fire, Murder, or otherwise, to pay in three years five years value, and halfe their Estates of Land. If they sell it, such as are by the Kings grant possessed of them to have them giving as any other, &c. And so if it be to be let, those who pay the whole to have all instantly, and that pay halfe, to have halfe: If in three years the whole be unpaid, the Land to be divided between him that owes it, and him to whom the King hath given it. If any have Woods by sale of which he would pay his Fine, the mony to be paid by two, of which either side to chuse one.*

2. *Knights and Esquires, who during this Warre have enriched themselves by Rapine, having no Land, to pay halfe their goods, and be bound with sureties to the Peace; if no goods to be quitted by Oath,* exceptis bannitis quibus solus Rex potest remittere.

3. *Lords of Wards to pay for them; and be answered by their Wards when they come to age; which if they accept not, the Wardship to accrue to such as the King hath given the Ransome to, and they to be so answered.*

4. *The Kings Wards to remaine where they are placed, and be Ransomed as others, but without destruction.*

5. *Such as were with the King before the Battle of* Lewis, *and since are Dis-inherited, His Majesty to declare His pleasure touching them.*

6. *No Man now possest of Wood to Fell any but onely for repaire till the last day of Payment be passed and not observed.*

7. *The King and the Popes Legate to send beyond sea for a time*

such as are likely to trouble the peace of the Kingdome, which if it hindered the paying of their Ransome, not for that to be Dis-inherited.

8. *Such as were grieved with this Agreement might appeal to the Kings Court before S.* Hilary, *and such as were beyond sea to have* inducias transmarinas.

9. *Because the King was to reward many and some had too much, the King out of these Fines to provide for them.*

10. *The Legate, King, and* Henry d' Almain *to Elect* 12, *who should cause these Articles to be executed, and to see performed what they ordain, according to the estimates already taken, or if not to have new rates taken reasonable and true.*

11. *Tenants that were against the King to lose their Leases; but at the expiration of their time the Land to return to the true owner.*

12. *Forts built by the assent of the King, but without that of the Person dis-inherited, after the Fine paid in three yeares, to pay the costs of building of it in six yeares, or receive a reasonable exchange in Land.*

13. *Such of the Lay as apparently drew any to the part of the Earl of* Leicester *to pay two years Revenue.*

14. *The Buyers of other mens goods wittingly, to restore the value of that they have bought, and be at the Kings mercy, because that they did was against justice.*

15. *Those that at the Earls command entered* Northampton, *yet fought not, but entered the Church.*

16. *Such as held not of the Earl, yet at his command entered to the action with Him to pay half one years Revenue.*

17. *Such as held of the Earl to be only at the Kings mercy.*

18. *Impotent Persons, and such as did nothing to be restored to their Possessions, and by justice recover their damages, their Accusers punisht by Law, yet without losse of life or limb.*

19. *Malitiously accused to have their Estates immediatly restored.*

20. *Women to have their own Lands, and what they had of their first Husbands; if their late Husbands were against the King to be restored according to Law, or Fined.*

21. *None to be fined but such as were against the King.*

22. *Such*

22. *Such as have been pardoned to remaine so.*

23. *Those that are fined to answer no losse done to any, but all dammages to be remitted on every side; except those that intermedled not, and of the Church whose Actions are saved.*

24. *The King by reasonable Exchange to receive the Castles of* Erdsley. *Bishop, and* Chartley, *it seeming dangerous to leave Forts in their hands who have carried themselves ill towards the King.*

25. *Those that in the future shall commit any outrages, to be punished by Law.*

26. *An Oath to be Taken where it shall be held convenient, not to pursue each other with revenge; and if any shall attempt the contrary, to be punished according to Law.*

27. *The Church to be satisfied by those that injured it.*

28. *Such of the dis-inherited as refuse this Composition to have no title to their Estates, and to be esteemed publick Enemies to the King and Kingdom.*

29. *Prisoners to be freed by the advice of the King and Legate.*

30. *No Person to be dis-inherited by reason of these Troubles by any to whom he ought to Succeed.*

You see what great care was here taken to prevent spoyle and waste of Woods, &c. whereas in this latter Age the first thing taken into consideration, is, how to raise ready mony by destruction of Woods, Housing, and selling of the Stock to lay the Lands waste, and decay Husbandry, to the indangering of a Famine for the present, and the dis-inheriting our innocent Posterity for the future: so little care is taken to keep that well which is so ill and illegally gotten. And how much regard was had to preserve innocent persons from suffering wrong in any just claim or title they could make to any Land possessed by a guilty person: whether they claimed by dower, Joynture, Title or Estate in reversion, or Remainder or otherwise? I wish the like Justice were now observed.

178. The losse of ships at *Kingsale* suppressed, and mis-reported in the House, and why?

Monday night 4 *June*, 1649. that third part of a Lord Admirall, Col. *Edw: Popham* came to *Westminster*, and presently made his addresses to the high and mighty Estates in *Whitehall*, giving them a Dismall relation of his ill successe in attempting with the governour of *Kingsale in Ireland*; who (proving honester then the

the Saints expected) tooke a ſumme of mony of him to betray the Towne, Forts , and Ships in the Road : but when *Popham* came in to the Haven to take poſſeſſion of his new purchaſe , gave him ſuch a Gun-powder welcome that he loſt moſt of his Men , landed to take livory and ſeaſin , and divers ſhips : he was commanded to conceale this ill newes , leaſt it diſcouraged the City to engage ſo farre with them , as to entertaine them in the condition of a free State , and ſurreuder the Sword to them , and ſo ſpoyle the deſigne of their Thankſ-giving Devotion and Dinner to be celebrated together in , and with the City upon Thurſday enſuing the 7. of *Iune* ; and leaſt it ſhould diſhearten more ſecluded Members from comming to ſit in the Houſe with them againe , knowing , *that Tyrants are followed for their fortunes, not for themſelves* : wherefore upon Tueſday following (being the fifth of *Iune*) *Popham* made another kind of Report to the Plebeians of the Commons Houſe (who muſt not be truſted with the truth of State miſteries , but (like Wood-cocks) muſt be led in a miſt) *That he had left* Kingſale *blocked up with ten ſhips , and the Seas ſecured in Peace and quietneſſe* : and the better to adorn the fable , and ſuppreſſe the truth from approaching the ears of the People, the Houſe that day (15 *Iune*) paſſed an Order, *That for this remarcable additionall mercy beſtowed upon them in the proſperous ſucceſſe given to their Fleet at Sea , upon Thurſday next*, 7. June (*the day ſet apart for publique thanks-giving*) *the Miniſters ſhould praiſe God.* Lord ! ſince theſe audatious ſaints are ſo thankefull to thee for one beating, beſtow many more beatings upon them, for they ſtand in need of all thy corrections. The like attempt hath been upon *Scilly* with the like ſucceſſe , ſince which time 40 ſayle of ſhips are preſſed in the Thames to recruit their ſhattered Navy; given forth to be a winter Guard at Midſomer.

Scout, from *Iune* the 8. to 15. 1649.

Iohn Blackiſton is packed away to the other World ; and the Houſe upon 6 *Iune* , Voted to his Wife and Children 3000l. out of the Earle of *Newcaſtle's*, and Lord *Witherington's* Eſtates, in compenſation of the loſſe of his Pedlery ware, in his ſhop at *Newcaſtle* ; he had formerly given to him 14000l. you ſee the inſatiate hunger of Gold and Silver ſurvives in the very Ghoſt of a Saint after he is dead. 500l. more was given to *Iohns* Brother ; an Eſtate out of the Rectory and Demeſnes of *Burford* was ſet-

179 Gifts given amongſt the Faction.

led

led upon the Speaker. 4000l. *per annum* Lands are to be ſetled upon the Generall out of the Duke of *Buckinghams* and his Brother the Lord *Francis Villers* Eſtates. 400l. *per annum* out of *Claringdon-Parke* upon the Earle of *Pembrooke*. 1000l. was beſtowed upon an eminent Member of Parliament for his many good ſervices. 4868l. to the Lord *Liſle*, out of the Monethly aſſeſment for *Ireland*, for his penny-worth of good ſervice done there; you ſee to what purpoſe we pay Taxes. 2000l. Land *per annum*, and 1000l. Money given to *Bradſhaw*, the price of Blood. And 400l. more given to the Poore of the City (to ſtop their mouthes from Curſing upon the Thanks-giving day) out of the 2000l. Fine ſet upon the Lord Mayor *Reynoldſon for not proclaming the Act for Aboliſhing Kingly Government*; this is (according to the Spaniſh Proverbe) *To Steale a Sheepe and give away the Trotters for Gods ſake.* You ſee the Saints can find mony to give Gifts, though not to pay Debts; although the publique Faith lie at pawne for them. A Committee is appointed to conſider how to preferre Mr. *Thomas Goodwin* and Mr. *Owen* to be Heads of Collages in *Oxford* as a Reward for aſſerting the late proceedings of Parliament upon the aforeſaid Thankſgiving day. It is not fit ſuch men ſhould ſerve God for nothing: in the times of St. *Peter* and St. *Paule*, *Godlineſſe was great gaine*; but in the daies of our modern Saints, *Gaine is great Godlineſſe.*

180 The Exciſe enlarged upon Salt.

The thing that miſcalls it ſelfe a *Parliament*, hath ſet an Exciſe of 1d. the Gallon upon all forraigne Salt imported: which is, in effect upon all the ſalt we uſe, (our home-made Salt being inconſiderable) you ſee our Cups, our Spits, our Powdring tubs, our waſhing Bowles, our Kettles, our Hats, Doublets, Breeches, Stokings, Shoos; nothing we uſe, eate, drinke or weare, is free from being devoured by theſe ſanctified Locuſts of the free State, who complained of the King for that petty inconſiderable Tax of *Ship-mony*, which his Majeſty ſpent in maintaining Guards of Ships upon our Seas, ſo much to the honour of our Nation, that the King of *Spain* truſted all thoſe vaſt ſummes of Bullion he ſent to the *Low Countries*, to be Coyned in our Mint, and above a third part yearly to be laid out here in Engliſh Cloth and Commodities, which with the reaſidue of the Spaniſh Treaſure was afterwards wafted over into *Flanders* in Engliſh

Bottomes, for which they were liberally payed; whereby every mans Estate was increased 10l. in the hundred, *England* infinitely abounded with Coyne and Plate, as appeares by those many vast summes that have been constantly extorted from the People since the beginning of these Wars; more, I dare say, than all our Kings since the Conquest, (excluding *William the Conqueror* and *Henry the Eighth*) ever raised upon the People) and by those many vast sums our seeming Saints have sent into Banks beyond Sea, and buried in their private coffers.

181 A Vindication of the Levellers in some things; and a farther designe to garble and enslave the army.

Reader, let me admonish thee, That the Levellers (for so they are miscalled) onely for endeavouring to Levell the exorbitant usurpations of the Councell of Officers and Councell of State) are much abused by some Books lately printed and published in their names, much differing from their declared Principles, Tenets, and Practises; but forged in *Cromwells* and *Iretons* shops to cast an *odium* upon them. These State-wolves by such forgeries endeavour to make the Sheep forsake and betray the Dogs that faithfully guard them; that they may with more security fleece them, slay them; and eate them hereafter. *Ireton*, *Haslerig*, and Postmaster-Attorney *Prideaux*, by themselves and their Bloud-hounds, (Spies and Intelligencers) have been very diligent to draw dry-foot after M. *Lilburn*, *Walwine*, &c. and suborne witnesses against them, but (not having yet quite extinguished all sparks of truth and honesty, unlesse it be in their own breasts) failed of their purposes. Yet they goe on to purge the Army (as they have done the Parliament and Conventicle of State) of all free-borne humours (in order to their destruction) that the Army may consist of meer mercenary bruitish spirits, such as will so far neglect the duties of men and Christians, as to execute all their tyrannous, bloudy illegall Commands, with a blind obedience and implicite faith, without asking a question for Conscience sake, the better to enslave both the Kingdome and Common-souldiers. In farther prosecution of this designe, they have projected to levy seven new Regiments (which by way of Gullery) they call *Presbyterian Regiments*, and shall be raised by Presbyterian Commanders, but those Commanders shall onely be imployed to countenance the work for a time, and then for pretended offences be purged out of the Army, if not out

of

of this world, by the Councell of Officers, and more confiding men put in their roomes: and then shall these new Officers and Regiments be used as Catch-poles and Hang-men (contrary to the honour of Souldiers) to persecute and execute such Members of the Army as retaine any sense of memory of their old Engagements and Principles.

* 182. The pretended Parliaments Councell of State and Officers confederated with *Oneale*. See *An Aster-game at Irish, &c.* 1649. and the Propositions printed at *Cork* and reprinted at *London*, From *June* 6. to 1649.

* I formerly told you of an underhand combination between the domineering Independent Party here, and *Owen Roe Oneale*; which is now openly declared and avowed by their owne licenced News-books. *Owen Roe* and Colonel *Monke* are joyned (saith the *Modest Narrative*) our Party have permitted 300. of *Oneals* own Regiment to Quarter in our parts amongst the Creats within two miles of *Dundalke*, (saith the *Scout*) *Owen Roe* and *Berne* are come towards Col. *Jones*, and Colonel *Monks* Quarters, he is so faire as to pay Contribution: his Quarters are to the Scots side of *Dublyn*, to prevent their giving ayde to *Ormand* in his attempt upon *Dublyn*: who can blame necessity? nor doe our Grandees now deny this Confederacy with the bloudy Popish massacring Rebels, although they had the impudence to make the only supposition thereof one of the principall Charges against the late King; and to raise a great out-cry against the Marquesse of *Ormond* and Lord *Inchiquine* for their conjunction with *Preston*: yet they joyned but to prevent the *Cromwellists* who offered to associate with him upon conditions much more prejudiciall to the Protestant Religion, and English interests, than Ormond hath given them. They have offered this *Oneale* all the Lands in *Ulster* forfeited by his Grandfather *Tyrone*, *Shane Oneale* and others attainted, thereby destroying the british Planters there; and this is the reason they imploy so few old Irish Commanders into those parts, lest the *Oneals* should doubt they came to recover their own Lands again. But our Atheistical Saints account themselves loose when other men are bound, nothing but a halter can hold them; all obligations to men, all duties and Vowes to God, they break upon *pretended necessity and honest intentions*. Their Metropolitan Nuntio, *Judas Hæclet*, tell you, *Their Party will not joyn with the bloody Irish, untill they are brought to such a pinch, as to say,*

Flectere si nequeo superos Acheronta movebo.

Moderate Intelligencer, frō June 7. to 14. 1649. numb. 221.

See the Councell of Warres answer concerning the secured and secluded Members; from 6. *Iune*, to 13. num. 3

If God will not be Authour and Patron of their designes, the Devil shall; you see these Independents hang between God and the Devil, *Michaell* and the Dragon, not resolved which part to take.

183 *Parker* the Observator.

Be it known unto all men by these presence, that *Harry Parker* the Observator is returned from *Hamborough*, and highly preferred to be Brewers Clerke, (*alias* Secretary) to *Cromwell*; to whose designs he hath prostituted his pen.

184 *Meltons* Book, *The tenure of Kings and Magistrats, &c.*

There is lately come forth a Booke of *Iohn Meltons* (a Libertine that thinketh his Wife a Manacle, and his very Garters to be Shackles and Fetters to him: one that (after the Independent fashon) will be tied by no obligation to God or Man) wherein he undertaketh to prove, *That it is Lawfull for any that hath power to call to account, Depose, and put to Death wicked Kings and Tyrants (after due conviction) if the ordinary Magistrate neglect it.* I hope then it is Lawfull to put to death wicked *Cromwells*, Councels of State; corrupt Factions in Parliament: for I know no prerogative that usurpation can bestow upon them. He likewise asserteth, *That these, who of Late, so much blame Deposing, are the Men that did it themselves*, (meaning the Presbyterians.) I shall invite some man of more leasure and abilities then my selfe to Answer these two Paradoxes: But shall first give him these cautions.

1. That for the Polemick part he turne all his Arguments into Syllogismes, and then he will find them to be all Fallacies, the froth of Wit and Fancy, not the dictates of true and solid Reason.

2. That for the Historicall or narative part he would throughly examin them, and he wil find few of them consonant to the plumbline of Truth:

3. That he would consider that from the beginning of this Parliament there were three parties or factions in it:

1. The *Royalists.*
2. The *Presbyterians.*
3. The *Independents.*

For though they were not then notorious by that name, yet the persons confederated were then extant and active; being a complication of all *Antimonarchicall*, *Anarchicall* heresies and schisms, *Ana-*

See the mystery of the 2. Iunto's Presbyterian and Independent.

Anabaptists, *Brownists*, *Barrowist*, *Adamites*, *Familists*, *Libertines of all sorts*; the true Heyres and Successors of *Iohn of Leyden* and *Knipperdolling* in all their principles and practises united under the general Title of Independent: and these were originally the men that by their close insinuation, solicitations, and Actings began, and carried on the Warre against the KING, with an intent (from the beginning) *To pull down Monarchy, and set up Anarchy*, notwithstanding the many *Declarations*, *Remonstrances*, obortive *Treaties*, *Protestations*, *and Covenants to the contrary*; which were obligations (from time to time) extorted from them by the Presbyterians, although not strong enough to hold such subtile *Sampsons*, whose strengths to breake such Wythes lay not in their Bushes of Haire, but in the Ambushes of their Hearts, wherein there alwaies lay hid some evasion, equivocation, or mentall reservasion, which, like a back-doore, gave them leave to make an escape. In the beginning almost of this Parliament, the *Independents* (that is, the *Schismaticks*) in the Parliament insisted openly upon it, *to have the Papists in Ireland routed out, and their Lands sold to Adventures*, and *Passing an Act* to that purpose, necessitated the *Irish Papists to Massacre the English Protestants*; which was purposely done by the *Independents*, that both *Papists and Protestants* might destroy one another there, that they might the better subvert Protestancy in *England*, which is now in hand. And though it be true that the first Generall, the Earle of *Essex* was a Presbyterian: yet he was acted by Independents, as the Lord *Say* and others of the like stamp; and had a clause in his Commission, [*to forbeare the Kings Person*] which clause upon the Independents new Modelling the Army under *Fairfax* was omitted at their especiall instance.

185 L.C. Lilburnes Book, [The Legall fundamentall Liberties of the People, &c.]

Monday 18. *Iune*, 1649. Came forth that most usefull Booke of *Iohn Lilburns*; called [*The Legall Fundamentall Liberties of the People of England Revived, &c.*] wherein he excellently well sets forth *the new usurped Tyranny of that Hydra of* Nimrods *now subverting our Lawes, Liberties, and property, consuming us with illegall Taxes, Excise, Free-quarter, Monopolies; and sharing Land, Mony, Goods, and Offices amongst themselves, perpetuating a Army to enslave us, and overthrow the fundamentall Government of this Nation*, in order to which *they have complyed with and cheated all*

Interests, broken all their Obligations to God and Man; violated al the Lawes of this Land, their owne Protestations, Covenants, the Oathes of Allegiance, Supremacy, (which themselves caused the People to take) *and their owne Votes, Declarations, &c. The illegality of their late erected High Court of Justice, and their unjust proceedings therein; the tyranny & usurpation of the Councel of State and Officers of the Army.* And proveth *that Col.* Prides *new purged, new packed House, is neither a House of Commons, nor Parliament; their usurped Supreme Authority to be a meer nullity or fiction,* and especially, *That this Parliment is cleerly dissolved & ended,* which he proveth *by the Death of the King,* and by many other solid Arguments; *and therefore all their Actings to be voyd and null:* with many other considerable passages, where he ingeniously confesseth, *that being the Kings Prisoner at* Oxford, *with many other of the Parliament Party, the King did strictly observe the Lawes of the Land in His proceedings against them; which this Parliament doth not do in any their most legall proceedings, for al their pretended Engagements, Declarations, Votes, Protestations & Covenants to maintain and defend the Lawes and Liberties of the People,* Ergo, the King *really,* the Faction in Parliament *but pretendedly fought for our Lawes and Liberties.*

186 Tythes to be sequestred for the State.

The Faction are now contriving *to seize all the Tythes of the Kingdome into their owne hands,* (yet they are the Ministers freehold) *and to make all the Ministers their Stipendary Lecturers:* that they may *preach and teach* onely such Doctrine to the people as may bring them under a blind and slavish obedience to our forty Tyrants of the new Councell of State, presuming that all our Ministers carry their Consciences in their purses, because the Independents doe so. Look to your wayes Christian Brethren, you are likely hereafter to have *Oracles of State,* obtruded upon you instead of the *Oracles of God.* If the Ministers will not parret forth the new States Doctrine to you, they shall be starved out of their Pulpits.

187 An Adjournment of this pretended Parliament considered of.

The thing called a *Parliament* is now likely to have so generall a purge as will leave neither life nor soule, dung nor guts, in the belly of it. King *Oliver* (unwilling to go for *Ireland*, and leave them sitting, who may unvote all he hath compelled them to vote) hath commanded his Journey-men to think of an *Adjournment*

ment for some good time, that they may take the ayre, and grow wholesome again: and then (without some dire mischance) they never meet more, but *this Supreme thing* hath learned to use so much modesty to *their Superiors*, as to referre it to the *Hogens Mogens*, or *Councell of State*, to *consider what Votes and Acts they shall passe beforehand for establishing their Highnesses in their new Dominion*; And when (out of their usurped *Supreme Authority*) they have conferred as much upon *the Councell of State* as their ambitions ayme at, they (good Boyes) shall have leave to breake up Schoole and goe into the Countrey to *see their Friends*, and *visit their Foes*: that is, all such as have full purses to be squeezed. Thus you see the *method of Divine vengeance observes a Degradation*: 1. *Down went the King*, and his Authority lapsed into the two Houses. 2. *Down went the Peers House*, and all Authority fell downe into the Commons House. 3. *Downe goes the House of Commons*, and *the Supreme Authority* translates it selfe into a *Councel of State*. And (if my conjecture faile me not) 4. *Downe will go the Councell of State, and all Authority be grasped into the iron hands of* Campson Gaurus *and his Mamalnchy, his Councell of Warre*, when they shall think fit to Act bare-faced without using a packt peece of a *Parliament* or *Councell* of *State* as a screen or vizard to cozen and befool the people.

In order to which *Goverment by the Sword, Cromwell* is voted *to go into Ireland with his owne confiding Officers and Army, with all power Civill and Military for 3 years*: what doth this import lesse then that he is to be King of *Ireland*? there to practise the first rudiments of Kings craft, and when he hath inured those Semibarbarians to a Military Government, he shall returne with his Ianisaries and subdue the English to the like obedience: In the meane time his property *Fairfax* shall be under the observation of the Councell of State here, and be beleagured both in his own house and Army with *Olivers* Creatures; and in this dishonorable fickle condition he shall have the vaine honour to keepe *Olivers* Regalia, (the Crowne sitting upon one side like a Fooles Cap upon his Head) untill he returne, and shall then be called to account for all odious and unfortunate accidents that shall happen (for it is not for the Majesty of *Oliver* to beare the blame, although they fall out by *Cromwells* owne oversights, or Gods anger.

188 *Cromwel* voted for *Ireland* with ful power Civill & Military.

ger upon him) thus *Cromwells* ſhadow being removed, himſelfe may take ſubſtantiall and actuall poſſeſſion of the Throne which he already enjoyes in all things but the *Title*. And then let all true Saints and Subjects cry out with me, *God ſave K. Oliver and his brewing veſſels.*

189 13. Bills injoyned to be paſſed by the Commons before Adjournment.

The *Iunto* of *Tituler Supremiſts* at *Weſtminſter* (eſpecially ſo many as have not packt themſelves into *the Councell of State*) are very unwilling to quit their long-held Dominion, and ſubmit to their owne Baſtard brood, *The Lords States at Whitehall*; but there is no remedy, *Oliver* is reſolved to unyoke his Cattle and turn them to graſſe; he knowes they may unvote all they have voted at his command, (if during his abſence in *Ireland*, or *Scotland* rather) a new emergent power ſhould over awe them; the preſent feare being alwayes moſt terrible to Cowards. But the *Councell of State* hath ſet them their take, which they muſt ſpeedily performed before they Adjourne, conſiſting of 13. Poynts:

1. *That all Acts concerning the Loans of Moneys, Exciſe, Sequeſtrations, Goldſmiths-hall, Haberdaſhers-Hall, Aſſeſments for* England *and* Ireland *be paſſed.* Theſe reprobate Saints will ſooner forget their God, then their Mammon, [money.] You ſee they meane to perpetuate our burdens, as well as their owne Army; and dominer over us with an arbitrary, military tyranny for ever.

2. *That an Act be paſſed for ſetling the Militia of the Nation.* This amounts to *a new invented Commiſſion of Array* (lawfull for uſurping Saints, though not for a lawfull King) by vertue of which *the ſcum and dregs of the people* (baſe enough to aſſociate with the Army) *ſhall be Armed*, and all men of quality and fortunes (unleſſe ſuch as owe their fortunes to their crimes) diſ-armed.

3. *Againſt exporting Wool and Fullers Earth.* Unleſſe it be for the benefit of the Saints.

4. *To prohibite exportation of Gold and Silver.* The Saints have exported all our Gold already, and moſt of our Silver; and will never give over the Trade themſelves though they prohibite others. But Gold and Silver are drawn out of Mines Royall, and belong to the Saints by their prerogative.

5. *An Act to be paſſed for puniſhment of Revolted Sea-men and Mariners.* None againſt trayterous, tyrannous, thieviſh Saints.

6. *An*

6. *An Act for relief of well affected Tenants against Malignant Landlords; who having compounded for their Estats, rack their Tenants Rents, or turne them out of doors.* This is a device: Firſt, to make worke for ſuch Members as not being of the Councell of State, would become as Contemptible as they are hatefull, being deveſted of all power to play the Tyrants after Adjournment. And Secondly, to ſtir up all the Tenants of *England* (eſpecially *Schiſmaticks*) to combine with them, againſt their Land-lords; and deprive them of the Legall uſe of their Eſtates, and the benefit of their Compoſitions; for, to what purpoſe ſhall Gentlemen compound for their Eſtates, when they muſt *let* and *ſet* them at the diſcretion of domineering Committees, or Commiſſioners, conſpiring with the High Shoes, to oppreſſe, make a prey of, enſlave and unſpirit al the Nobility and Gentry of *England* here aymed at under the Generall Title of *Malignants*? oh perfideous Tyrants! keepe your money Gentlemen, or turne it into Iron and Gun-powder.

7. *An Act to ſuppreſſe Malignant Pamphlets aſperſing the preſent proceedings of the Parliament, Councell of State, and the Army, and prevent Printing as much as may be.* That is to ſet truth in the pillory, whilſt her counterfeit, impudent lying and ſlandring ſits in ſtate *in Parliament*, *Councell of State*, and *Councell of Officers*, and rids triumphantly Coached into the City to Thankſgiving Devotions and Dinners.

8. *That the pulpits being as Scandalous as the Preſſe againſt their proceedings; they enjoyne that a more ſtrict courſe be taken to ſtop the mouthes of the Preachers hereafter.* You ſee how *Ahab* like theſe ſubverters of Church and Common-wealth, accuſe our Prophets *for troubling our Iſraell* (being their own ſinne) and ſeeke occaſion to bring ſpirituall as well as corporall famine upon the Land, cutting off the ſtaffe of bread as well from our Soules as from our bodies, by ſtopping the mouthes of Gods meſſengers. But I hope they will remember the duty they owe to the honour of him that ſent them upon his Embaſſage to his people, and fearing God more then Man, every man cry out to his own ſoule and conſcience with Saint *Paule*, 1. *Cor.* 9. 16. *Va mihi ſi non prædicavero, Woe be to me if I do not Preach.* 1 King 18. 17.

9. *That an Act be paſſed that that clauſe of the Stat.* 23. *Eliz.*

25 Eliz. 1 Jac. againſt Sectaries ſhould be repealed, that none may be queſtioned thereby in the vacancy of Parl. What is this but to pray in ayde of Turkes, Jewes, Anabaptiſts of *Munſter*, nay the Devill himſelf to joyne with them as they have already joyned with *Owen Roe Oneale*, and his bloudy maſſacring Iriſh Papiſts againſt the Proteſtant Religion, which was part of the deſigne of the ſchiſmaticall Party in Parliament in waging warre againſt the King from the beginning. See 184. The Marginall Notes there. This impious Liberty of Conſcience to deſtroy the Proteſtant Religion is all the liberty we are like to enjoy under the Kingdome of theſe bloudy cheating Saints, in all things elſe we are meer and abſolute Slaves.

10. *That an Act for a Generall Pardon be paſſed to all Perſons except ſuch as are particularly named therein, and declaring no pardon to any that ſhall for the future raiſe War in this Nation againſt the preſent Authority thereof.* This is a project, 1 *To pardon themſelves and their Party for their* tranſcendent villanies, and to ſtop the mouthes of the Countrey from complaining of them after their Adjournment, and this ſhall be effectually done. 2. *To befoole ſilly weak ſpirited People with general words of a pardon* which ſhall be made ineffectuall by many exceptions and limitations. 3. *This is principally intended to fright men from attempting any thing againſt the uſurped Supremacy and Tyranny of the Councell of State*: and therefore all pardons to ſuch attemptors are beforehand declared againſt. This with them is (as a ſinne againſt the Holy Ghoſt) unpardonable; to deny their Supreme, arbitrary Authority.

11. *That the Act for releife of poor priſoners for Debt may be paſſed.* Though I can with as much Charity as any Man wiſh a releiſe to them; yet *I like not that Charity ſhould be made a cloak to ambitious Knavery*; and all the Creditors of the Kingdome be made liable to the vexation of a covetous Committee, who *under colour of Charity ſhall raiſe up all the indebted Men of the Kingdom againſt all the monied Men, if they will not ſacrifice their purſes to the Foh Gods of the new State, and be bountifull to the Committee*; which is the full ſcope of this Propoſition.

12. *That the ſouldiers may be ſecured their Arrears out of the late Kings Lands.* This is to tye all the Souldiery by the purſe-

ſtrings

ſtrings (which is Saints Tenure) to make good that horrid, traiterous Murther.

13. *That an Act be paſſed for Probate of Wills, Granting adminiſtrations, and Inveſting of Miniſters preſented.* Theſe lunatique Saints ſhould have thought upon a new way to be ſet up before they throw downe the old one, and not have left men in an uncertainty how to diſpoſe of their Eſtates, and a *Iuſtitium*, a vacancy of Juſtice upon the Kingdom: you ſee what Mountebanks our new State-Juglers are. The good Boyes began to learne their Leſſons upon Monday, 25 June.

190 Things undertaken by the Councell of State during the Receſſe

The Councell of State likewiſe reported to their ſaid Free ſchool of Commons ſeverall things which they (in order to their future greatneſſe) would put into a way during the Receſſe: againſt the Houſe next meeting, when two Sundaies come together:

1. *That Commiſſioners be appointed in every County to make an eſtimate of all Tythes*, to the end they may be taken away for the future, and ſome other proviſion deſigned for Miniſters. *This is a Whip and a Bell to laſh Miniſters to preach State Divinity.*

2. *That the Conncell of State conſider of ſetling future Parliaments, and the conſtant time of their calling, ſitting, and ending after this Parliament ſhall think fit to diſſolve themſelvs.* If they are not diſſolved already, (which is the conſtant opinion of many great learned Lawyers wel-affected to the Parl.) they will never be diſſolved without the help of a Hangman. But I would gladly know by what Authority a pack of forty Knaves calling themſelves *a Councel of State*, and uſurping Regall power ſhall take upon them to aboliſh our ancient form of Parliaments, contrary to the fundamental Lawes of the Land, their own Declarations, Proteſtations and Covenants, and to pack and ſhuffle new Parliaments, to diſpoſe of our Religion, Lawes, Liberties, Lives and Eſtates, againſt the conſent of the farre major part of the people.

3. *That they ſhall conſider of an Act for regulating Proceedings in Law, and prevent tediouſneſſe of Suites.* There are too many Lawyers in the Councel of State to do any thing effectuall that way; but it may be they will conſider how to make the Lawes of the Land more ſutable to an Olygarchicall tyranny, and leſſe agreeing with Monarchy.

4. *That they will conſider what Lawes are fit to be repealed.* That

is, all Lawes enjoyning uniformity in Gods Worship, all Monarchicall Lawes, and all Lawes allowing more civill liberty and Priviledges to the People, and to severall degrees of men then squares with the designes of our new upstart State.

191 Deane and Chapters Lands purchased by the Godly.

So many men have been cheated with Publique Faith, Irish Adventures, and Bishops Lands, that the Market is spoyled for sale of Deane and Chapters Lands, wherefore the Saints (being the onely monied men left in the Kingdom) have now agreed to buy them themselves, considering, that since they hold their Heads and all that they have in *Capite* of their Lords Paramount, *the Councell of Officers*, they may as well buy dog-cheap, and hold Deans Lands by the same Tenure. For which purpose they have their Brokers abroad to buy in Souldiers and Officers Debentures for arrears at five shillings and six shillings in the Pound, though they are allowed the whole summe of the Debentures in the Purchase, which doubling in ready money they purchase upon such easy particulers as brings it downe from ten years purchase, to two or three years purchase. They are not seen in the businesse themselves, but buy them in other mens names, and to the secret use of their Wives and Children. The Lord *Mounson*, *Humphrey Edwards*, and Sir *Greg Norton*, (who hath sold his own Lands to purchase new upon this Title) and many other Saints have lately trod this obscure path.

192 Souldiers insolencies remedi\-less.

Great complaints are made by the Country of the Souldiers insolency (amongst many other things) in putting their Horses into mowing Grasse. The Generall hath Ordered the next Officer in chiefe to cause double damages to be given by the Souldier; and if the said officer neglect, he is to Answer it at a Councell of Warre at the Head Quarters. This remedy is worse then the disease, and as meere a gullery as the Act for taking off Free-Quarter. The chiefe Officer will laugh at the Complainant, the Head Quarters are farre off, and the Councell of War will tyre him with delaies, and expose him to more injuries of the angry Souldiers. The Officers will not, nor dare not keepe a strict disciplin.

193 The Earle of *Denbigh* and *Henry Martin* referred to Committees.

The Earle of *Denbigh* referred to the Committee of the Revenue to consider the Arrears of his Ambassie in *Italy*, and of his 1000 Marks *per annum* pension bestowed upon him by the late King.

King. If his deserts had been better, his reward had been worse, and worse paid. Also *Henry Martins* Losses and Arreares referred to the consideration of a Committee. If the Committee would know what *Harry* hath lost, they must examine his Barber Surgeon. *Rowland Wilsons* Arrears and Losses, and the Lord *Grays* Charges and Arrears to be considered and reported: you see Charity begins at home, and the Members exercise it (for the most part) in their own House.

194 The Councell of State authorized to grant Letters of Marque.

Iune 25. An Act passed *to enable the Councell of State with absolute power to grant Spetiall and particular Letters of Marque or Repriſall in the name of the Keepers of the Liberties of* England *by Authority of Parliament*: What is this but to empower the Councell of State to make warre at Sea with all Princes and States at their discretion? they have already so farre decayed all the Trade of this Nation, that ere long Traffique will be totally destroyed; whereby our Sea men with their Ships will be necessitated (for want of employment) to Revolt to the PRINCE: to prevent which inconvenience they will find worke for them by granting so many particuler Letters of Marque to all such as shall but pretend themselves wronged by Foraigne Nations, as will amount to a generall practice and profession of Pyracy, and turne *England* into a second *Argires*, whereby all princes and States will be provoked to make a Pyraticall War upon *England*; as against a Den of Thieves and Robbers, common Enemies to Traffique and humane Society: as the Romans did under the conduct of *Pompey*, against the Cilician, and other Asiatique Pyrates.

195 Capt. *Younge* blowing up the *Antilope* in *Helverſluce* with a caution.

Captaine *Younge* hath blown up with Gun pouder a Ship of the Princes, called the *Antilope*, lying at Anchor in *Helverſluce*, under protection of the States of *Holland*, whereby the Chamber of *Holland* and the Honour of their Inland Sea is ravished from them. By this, and by some former action of the like insolency (as the firing upon their Ships, and killing their men for not striking Sayle to them) you may see what good Neighbourhood the Dutch are like to have of their younger brother State, when they are once setled and confirmed in their yet infant Government: even the very same which the Carthagenians found from the new erected Common-wealth of *Rome* grew up to maturity; which proved so dangerous a Competi-

tor in point of power, profit, and honour, as buried the more ancient Free-state of *Carthage* in its Ruines. *Free states (especially Aristocracies) are very quarrelsome with their Neighbours, and never want many of their Patrician most potent Families ambitious to encrease their own power and glory by Wars:* and therefore seek occasions of quarrell with their Neighbours; such was the whole Family of the *Barchines* at *Carthage*; the *Scipios, Fabii, Camilli, Crassi, Pompeii, Cæsares,* and many more at *Rome:* Thus was *Greece* torne in pieces by its Free-states.

196 More Gifts to the Godly.

The Commons have bestowed St. *Cresses* Hospitall upon *Cook* for acting the part of an Attorney Generall against the late King. It is fit every *Iudas* should have his reward; the New Park in *Surry* bestowed upon the City in reward of their Thansgiving Dinner, that the new-packed Court of Aldermen and Common Councell may not want Venyson to fill their Wives Bellyes, nor they Browe Antlers to hang their Hats on.

197 Order 9. *Iunc*, 1649. referring all secured and secluded Members to be examined before a Committee.

The 9. June the Commons (about 46, in number) had passed an Order concerning their secured, secluded, and absented members; and referred all such as had not already entred their dissent to the Vote, 5. *Decemb.* 1648. to a Committee to give such satisfaction to them as the House should approve of before the 30. of Inne instant, or else the House would take order for New Elections. This was to bring the said Members (300 in number at least) to the winnowing, that they might admit such as were for their turne to recrute their thin house, and expell the rest: few repaired to them, and of those very few were chosen, the Speakers sonne, Sir *John Treavor* (who hath a Monopoly of 1500*l. per annum*, out of *New-castle* Coles; for which he was many moneths kept out of the House, and at last admitted (onely to comply with the Faction) and his said monopoly continued) Sir *Henry Haymonde*, two Sons of the Earle of *Pembroke*, were received. This was thought very unreasonable that so many Gentlemen either kept out or driven away by force should by a farre lesse number sitting and acting under the same force, be sent to attend a Committee, to stand with their Hatts off to *Holland, Scott &c.* and be examined and expelled for giving their Votes, (Yea, or No) in the House according to their Consciences. This was to subvert the Liberty of all Parliaments for the future, and

to

to make this Houſe (which calls it ſelfe a Parliament) a meere packed Iunto to carry on foreſaid Deſignes. Beſides, to expect they ſhould approve all that the ſitting Party in the Houſe had done in the abſence of theſe non-ſitting Members, who neither heard the Debate nor Reaſons whereupon they grounded their Votes againſt the KING, and Houſe of Peers, nor for the aboliſhing Monarchy, and turning it into a Free-State, erecting a Councell of State for that purpoſe, voting the Supreme Authority to be in themſelves, and many other matters of the like high nature, which have no place in the Lawes of *England*: was ſuch an impoſition as neither agreed with the knowne Parliament Priviledges, Liberty of Conſcience, (ſo loudly profeſſed by theſe ſanctified Members which ſit) nor with humane reaſon and ſenſe. And at laſt to ſit under thoſe Armed Guards that put a force upon them (the 6 *Decemb.*) before; promiſed as little of ſafety, unleſſe they would renounce their owne Conſciences and Act the wills of their Janiſaries and their Party; and would render them contemptible to all the world, eſpecially to thoſe men who put this inſolency upon them.

I formerly told you how unwilling the Members were to adjourn and reſign their more than Kingly Power to the Councell of State; wherefore *Cromwell* finding he could not obtain that of them by a Vote, projected another way to work his Deſigne, nor the old way of a violent purge by ſecuring and ſecluding the Members with his Myrmidons, that is already infamous and would ſavour too groſly of the Power of the Sword; and would ſhew *Oliver* to be rather a Quack-ſalving Doctor of Phiſick than a Doctor of the Civill Law. He cauſed the Councell of Officers therefore to frame certain Articles of Impeachment againſt Mr, *Lenthall* their *Speaker*, as followeth;

198 Articles of Impeachment againſt the Speaker.

Note that *Oliver*, before he left the Town, erected a Committee of Officers of the Army to proſecute and bring to puniſhment grand Delinquents. This is a new kind of Star Chamber of military Nobles held like a Rod over the Mock Parliament, Councell of State, and the Generall, in caſe they ſhall oppoſe *Olivers* Deſigns.

1. *For releaſing out of New-gate 3. of the Queens Prieſts and Jeſuits by his Warrant.*

2. *For maintaining and protecting ſeverall Spies and Agents for the late King within the Line of Communication during the late Warre.*

3. *For*

3. *For conveying divers remarkable Prisoners at War out of the Line of Communication unto the Late King.*

4. *For assisting and protecting severall plotters on the behalfe of the late King, to destroy the City of* London.

5. *For suffering above* 30000l *to be conveyed to the late King out of the Line of Communication, wittingly and willingly.*

6. *For sending Horses of War, with Men and Arms to the late King.*

7. *For holding an Intercourse of Letters With the Late King.*

8. *For maintaining and keeping an agent in the Garrison of* Oxford, *for expediting the foregoing Treacheries.*

9. *For corrupting many Members of the Parliament, some lately excluded, and some now sitting in the House to conceale and smother the foregoing Treacheries.*

10. *For endeavouring to take away the Lives of severall the prosecutors and witnesses unto the foregoing Treacheries.*

You see there is not one word in them of cousoning the Common-wealth, (which is now become the private-wealth of every particular Saint) because this would have broken universally the whole communion of Saints, and would have set them altogether by the ears, to defend themselves by recriminating one another: The device was, by taking of the Speaker, to Dissolve them; since they cannot by the Priviledges of the House, chuse themselves a new Speaker without the consent of a power higher then their owne, (to wit) the Kings. And though they will be so much masters of their own Priviledges, as to coyn new every day upon emmergent occasions, yet those irregularities are alwaies done under the power and protection of the sword, which they could not expect against their own Visier Basha *Oliver*. This trick being smelt out, was so highly resented, that it perished in the birth; only (I heare) the Speaker bled in private 15000l. towards *Olivers* expedition.

199 150000l. Advance money for *Cromwells* expedition.

All the sinks of Tyranny and oppression about the Towne, the Committee of the Revenue, Goldsmiths hall, Haberdashers hall, the Excise Office, &c. are all emptied into that Common-Sewer *Olivers* expedition into *Ireland* (or rather *Scotland*) or engaged as a security to furnish him with 150000 l. part whereof onely he

is

is accountable for, the residue is left to his discretion and conscience to buy towns and victories with, and to be offered upon an alter to be erected *Deo ignoto*.

At *Olivers* request, the House admitted Sir *Edward Ford* to compound upon the Articles of *Oxon*, notwithstanding his lapse of time; *Ford* married *Ireton's* Sister, and the Lord *Culpepers* Sonne married *Ford's* Daughter. Observe how the Generall is lessened to advance *Cromwell*. 1. The Command of the Irish forces taken from him, and *Cromwell* sent with a higher power then ever any went with into that Nation. 2. All Souldiers that will are enabled to leave their Regiments and List under *Cromwell*: so that the discontented and Levelling party onely are left under the command of *Fairfax*.

200 More Gifts to the Godly.

Col. *Martins* Account brought into the House, 3. *July* 1649. his Arrears came to 25000l. and 1000 l. *per ann.* Land ordered to be setled upon him and his Heyres. The Lord *Gray of Groobies* Arrears for last Summer only against Duke *Hamilton*, 1500l. These things considered, I cannot wonder at the Petition presented to the Generall by Capt. *Iubbs*, in the name of Col. *Husons* Regiment about *July* 6. wherein (amongst other things) they complaine; *That the House doe Weekly bestow* 1000l. per ann. *upon themselves out of the publick Treasury of the Nation, when as the Souldiers wants are great, and all the People are in great necessity.*

The *Moderate* from *July* 3 to *July* 10. 1649.

201 Endeavours to lessen the Generall.

As if the dividing of the Army, and putting the most confiding men under *Cromwell*, the taking the whole command of *Ireland* from the Generall and conferring it upon *Cromwell*, the drawing dry all the treasures of Mony to furnish *Cromwell*, and leaving no mony to content the Generalls remaining part of the Army, the turning the *odium* of seizing and secluding the Members, and Murdering the King, upon the Generall, were not sufficient diminutions of the Generall, and augmentations of his Lieutenant Generall: The Welch Counties are set on worke to desire *Harry Martin* for their Commander in Chiefe; and the Western Garrisons (the most considerable of *England*) are to be taken from the Generall, and put into the hands of *Cromwell* and his party for his retreat from *Ireland*; so that if all this do not enable him to ruine the Generall, (it will at least) enable him to divide the Army, and cantonize the Kingdom, and turne the Generall into the dangers and troubles of the starving,

forlorne, North Counties bordering upon *Scotland.* And if *Cromwel* find *Ireland* too hard a Bone for him (it is thought) he will endeavour to surprize the *Isle of Man*, and from thence infest *Scotland* and *Ireland.*

202 *An inquisition for bloud* an ingenious piece newly come to light.

About the 18 *July*, 1649. was presented to the world an ingenious piece, entituled, [*An Inquisition for Blond*] to the Parliament *in statu quo nunc.* And, to the Army, *Regnante:* wherein the Author proves, *That the* KING *did not take the guilt of Bloud upon Himselfe by granting the Preambulatory Proposition in the late Treaty* in the Isle of Wight, in these words (viz.) *That He acknowledged that the two Houses of Parliament were necessitated to undertake a Warre in their own just and lawful Defence &c. And that therefore all Oaths, Declarations or other publique instruments against the 2. Houses of Parliament, or any for adhering to them &c, be Declared nul, suppressed and forbidden.*

1 His Majesty in yeilding to this Grant had reference to two ends: 1. To prepare the way to peace, which without this had been hopelesse. 2 To secure and indempnifie the two Houses, with all their adherents, and rid them from those despairing feares and jealousies which made them adversaries to peace.

2 For the words of this Preamble, they were not of His penning, He was not Authour of them, but an Assentor to them: nor was He, or His Party accused or so much as mentioned in them.

3 He made this Concession *sub stricta novacula*, when the Razor was (as it were) at His throat: 1. An Army of 30000. Horse and Foot effective against Him. 2. When He was endangered and tired out with a long and close imprisonment 3. When many dangerous menacing Petitions against His life, had been encouraged and entertained: so that the King may seem to have been necessitated to yeild to this Grant for His own just and lawfull defence.

4 His Majesty passed this Concession with these two Provisoes: 1. That it should be of no validity untill the whole Treaty were intirely consummated. 2: That He might, when He pleased inlarge and cleer the truth with the reservednesse of His meaning herein by publique Declaration: Now the Treaty being powerfully carried on without Debate, or receiving any Proposition from the King, as was capitulated (and reciprocall proposalls are of the Essence of all Treaties) this Grant could never bind him.

This

This Grant was a meer Preambulatory Propoſition not of the Eſſence of the Treaty. Philoſophers and School-men tell us, No valid proof can be drawn out of Proems and Introductions, but out of the Body of the Text. So in the Lawes of *England*, and in all Accuſations and Charges, Prefaces and Preambles are not pleadable. They are the laſt in penning of Laws, leaſt in account, nor never had the force of Lawes. 5 Proems to Laws are condemned by many Lawyers & Politicians. *Eſt nihil frigidius lege cum Prologo, jubeat lex, non ſuadet*

Ther's not a ſyllable in this Preface which Repeales any former Law inflicting a Penalty upon ſuch Subjects as bear or raiſe Arms against their King: nor thoſe Laws which (*è contrario*) exempts from puniſhment all Subjects adhering to the perſon of the King in any Cauſe or Quarrell. 6

Whereas the ſaid Preface ſaith, the two Houſes *were neceſſitated to make a Warre, &c.* This may relate to a neceſſity *à parte poſt.* not *à parte ante*, ſelf-defence is the univerſall Law of nature, extending to all Creatures; it is, *non Scripta ſed nata Lex.* Therefore when the two Houſes (or rather a Schiſmaticall Party in them) had brought upon themſelves a neceſſity of Self defence, His Majeſty was contented to acknowledge that neceſſity. If one Man aſſault another upon the High-way, and the Aſſailed furiouſly purſue the Aſſailant, putting him to the defenſive part, the Aſſailant is now neceſſitated to fight in his owne defence, although he drew that neceſſity upon himſelf, yet is he now excuſable *à poſteriori*, not *à priori*. And as Civilians ſay of clandeſtine Marriages, *Quod fieri non debuit, factum valet*; for *multa ſunt quæ non niſi peracta approbantur.* 7 By raiſing Tumult, &c.

Lewis the 13 of *France*, had many Civill Warres with his owne Subjects, amongſt other Treaties to compoſe them, upon the Treaty of *Lodun* he was enforced to publiſh an Edict, approving of all that had been done by his Oppoſites as done for his ſervice. The like Extenuations are not unuſuall at the cloſe of Civill Warres; and the onely uſe made of them was never other than to make the adverſe Party more capable of pardon, to ſecure them againſt the brunt of the Lawes, to ſalve their credits, and pave the way for an act of Oblivion, and reſtore a ſetled Peace; peace and Warre, like Water and Ice, being apt to beget one another. But never was uſe made of ſuch Grants to ruine the King that granted them, or His party.

Thus having confuted that misprision, *That the King by granting that Introductory Proposition, hath taken all the blood upon his score:* my Author having cleered his way to his farther Inquisition after blood, proceeds, and tells you, *Blew Cap was the first that opened the issue of blood by entering* England, *and shewing Subjects the way of representing Petitions to the King upon their Pikes point: That the Irish tooke their rise from him.* And whereas occasion was taken to calumniate his Majesty *for having a fore-knowledge thereof* (amongst many other convincing Arguments to cleer him) my Lord *Macguire* upon the Ladder, and another upon the Scaffold, did freely and cleerely acquit him. And (in regard great use was made of the Irish Rebellion to imbitter the people against the King) the Authour winds up the causes thereof upon one bottome. Telling you

1. They who complyed with the Scots in their first and second Insurrection.

2. They who dismissed the Irish Commissioners (sent to present some grievances to the Parliament) with a short, unpolitick harsh Answer.

3. They who took off *Straffords* Head (the only Obstractur of that Rebellion) and afterwards retarded the Earle of *Leicesters* going into *Ireland.*

4. They who hindered part of the disbanded Army of 8000 men raised by the Earle of *Strafford*, being Souldiers of Fortune, to go serve the Spaniard, as his Majesty had promised the two Spanish Ambassadors, the Marquesses of *Velada* and *Malnezzi*: which cashiered discontented men first put fire to the Tumult. They who did all this, are guilty of the Irish Rebellion, and of the Blood of above 200000 Protestants who perished in that War. Adde, They who importuned the King (contrary to his Judgment) to make the Irish desperate by passing an Act *to confiscate their Estates, and grant them away to such as should advance Monies upon Irish Adventures.*

Touching the War kindled in *England*, the Author confesseth it was a fatall thing there should be a withdrawing of the Kings Person from the Parliament. But averreth it was a barbarous thing that the King with above foure parts in five of the Lords, and two parts in three of the Commons should be frighted away by Tumults raised by

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Ven and *Bourges*, and a *designe to seize the Kings Person*: yet its fit it should be remembred.

1. *What reiterated Messages His Majesty sent*, offering to return, if there might be a Course taken to secure his Person, with those Peers and Commons rioted away.

2. *That there was not the least motion towards War, until* Hotham *shut the Gates of* Hull *against the King*, attended only by some few of his household servants; which Act of his was approved of afterwards by the House of Commons Vote, as if he had done it by their warrant.

3. *That a while after, there was an Army of* 16000 *men effective inrolled about London*, to fetch him to his Parliament, and remove ill Councellours, under the Earl of *Essex*, long before the King began to set up his Standard.

4. That the same Army so raised, to bring the King to his Parliament, was continued two years after to keepe him from his Parliament.

5. *Who interdicted Trade first, and brought in Forraign force to helpe them? and whose Commissions of War were near upon two years date before the Kings.*

6. That in all His Declarations, He alwayes protested, He waged not Warre against the Parliament, but against some Seditious Members, against whom he could not obtaine Common Justice.

7. *That upon all good successes, the King still courted the Parliament and City to an Accommodation.*

8. That upon the Treaty at *Uxbridge*, *The King moved, that* (*to prepare mens minds to Peace*) *there might be freedom of Trade* from Town to Town: *A cessation of al Acts of Hostility* for the time, that the inflamation being allayed, the wound might be cured the sooner.

9. *That this present Army remember how often in their Propositions, and Declarations they protested, that their aime was, to restore his Majesty with Honour, Freedom, and Safety*, whereunto they were formerly bound by their protestation and Covenant; and that *the two Commanders in cheife paun'd their Souls to him thereupon.*

10. That to settle peace, the King did in effect, (by his Concessions)

cessions) *part with His Sword, Scepter, and Crowne, and every thing that was personall to Him.*

11. With what admired Temper, Prudence, Constancy, He comported Himself in his Afflictions; and how many of his engaged Enemies became his Converts thereby, speaking Panegyricks in his praise.

12. That though there be some precedents in our *Histories* for Deposing Kings in point of Competition for the Crowne; yet it is unexampled. That a King of *England* of an undoubted Title, should be Summoned, Arraigned, Tried, Condemned, and Executed at his owne Door, by his owne Subjects; and *by the Name of their King, to whom they had sworn Allegiance: Contrary to the whole Current of the Law, which saith, The King can do no wrong, The Crown takes away all defects*: Wherefore it was adjudged superfluous to take off Attainders, under which *Hen* 7. and Queene *Elizab.* lay, because the Crown wyped off all Blots. *Rex non habet Parem in suis Dominiis nec Superiorem, satis habet Rex ad panam, quod Deum expectat ultorem.* If therefore *by the Lawes of the Land, all men must be Tryed by their Peers, and the King have no Peere*, what power had these Men to arraigne their King? to be *both His engaged Enemies, Accusors, and Judges; and to Erect an unprecidented Tribunall without the least Foundation in Law*, with power, and *purpose to condemne all* that came before it; and that *Sentence of Death should passe without conviction, or Law, against the Head, and Protectour of all our Lawes, and Fountain of Justice and Mercy.*

13. That they (who by their owne Confession) *represent but the Common People*; should assume power to cut him off, *who immediatly represented God.*

203. M. *Pryns* excellent Book entituled, [*A legall Vindication of the liberties of* Engl.] Against illegal Taxes, and pretended Acts of parliament abridged in part, but the whole commended to be seriously read by all men.

About the same time Mr: *William Pryn* Assigned his Reasons why he could, *neither in Conscience, Law, nor Prudence, voluntarily submit to pay the Arbitrary illegall Tax of* 90000*l*: *a moneth imposed upon the People, by a pretended Act of the Commons bearing Date of* 7 Aprill 1649 *towards the maintenance of Forces to be continued in* England *and* Ireland.

Because

Becauſe by the *Fundamentall Lawes*, and knowne Statutes of this Land, *No Tax &c. ought to be Impoſed or Leavyed, but by the Will, and common Aſſent of the Earls, Barons, Knights, Burgeſſes, Commons, and whole Realme, in a free, and full Parliament.* See *Magna Charta*, 29, 30. Stat. 25 *Edw.* 1. chap. 5, 6. 34 *Edw.* 1. *De Talagio non concendendo*, c. 1, 21. *Edw.* 3. Rot. Parl. nu. 16 25 *Edw.* 3. c. 8. 36 *Edw.* 3. Rot. Parl. nu. 26. 45. *Edw.* 3, Rot. Parl. nu. 42. 11 *Hen.* 4. Rot. Parl. nu. 10. 1 *Rich.* 3. c. 2. *The Petition of Right, and Reſolutions of both Houſes againſt Loans*, 3 *Car. The Votes and Acts againſt Ship money, Knighthood, Tonnage, and Poundage*, and the Star-chamber this Parliament, 17. 18. *Car.* agreed to by Mr. *William Hackwel* in his Argument againſt Impoſitions. Judge *Hutton*, and *Crook*, in their Arguments; Mr. Saint *Johns in his Argument and Speech againſt Ship-money*, with others Arguments and Diſcourſes upon that ſubject. Sir *Edward Cooke* in his 2. Inſtit. pag. 59, 60. 527. 528. 529, 532, 533. But this Aſſeſſement was not ſo legally impoſed, *Ergo*, I, nor no man elſe ought to pay it. 1 *This Tax was not impoſed by any Parliament; The late Parliament being actually diſſolved above two moneths before this pretended Act was paſſed for impoſing it, by the Murder of the King*, as is reſolved by the Parliament. 1 *Hen.* 4. Rot. Parl. nu. 1, 4. *Hen* 4. and 1. *Hen.* 5. Rot. Parl. nu. 26 *Cooks* 4. Inſtitutes. p. 46. 4. *Edw.* 4. 44 6. *For the King being both the Beginning, End, and Foundation of Parliaments* (according to *Modus tenendi Parliamentum*, and Sir *Edw. Cook* 4 Inſtit. p. 3,) which are *Summoned* and *Conſtituted onely by his Writ, the Writ is actualy abated by his Death.* 1 *Edw.* 6, c. 7. *Cooks* 7 Rep. 30. 31, *Dyer* 165, 4. *Ed* 4. 43, 44. 1 *Edw.* 5. 1. *Brook* Commiſſion, 19. 21.

It appears by the writs of Summons to the Lords, (Cromp. Juriſdiction of Courts, fol. 1. *Cooks* 4. Inſtit. p. 9. 10.) *and of Elections, and leavying their Wages*: That the Parliament was onely *Parliamentum noſtrum*, the Parliament of the King that's Dead, called *Parliamentum noſtrum ad tractandam nobiſcum ſuper arduis negotiis regni noſtri*, can be continued one and the ſame Parl. after the Kings death that called it; and the Monarchy changed into a Commonwealth? formally it cannot be the ſame, the King the Head thereof being gone. The Lords Houſe and Monarchy being aboliſhed, and the State not the ſame; materiſlly it cannot be the ſame, ſo many of the ancient Members being throwne out, and new ones unduely elected brought in. But there are ſome pragmaticall Taylors in the Houſe, who can make a garment fit for all ſtates of the moon, and a Parl. fit for all changes of the State.

Quære, How a Parliament Summoned by the Writ of K. *Charles* I.

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not of his Heires and Successors, they are all summoned to come to his Parliament to advise with him (*nobiscum*, not with his Heires and Successors) of great and weighty affairs concerning, *Nos & Regnum nostrum*, Him and his Kingdom, 5 *Edw.* 3. 6, part 2. *Dors. Claus.* Regist. fol. 192, 200. So the *King being dead, and his Writ, and Authority by which they we are Summoned, and the end for which they were called: Ad Tractandum ibidem nobiscum, super arduis negotiis nos & statum Regni nostri tangentibus*: being thereby absolutely determined without any hope of revivall: *The Parliament is determined thereby, especially as to those who have dis-inherited his Heires and Successors, and Voted downe Monarchy it selfe; and the remnant now sitting are no longer Members of Parliament, as al Iudges, Iustices of the Peace, Sheriffs, made only by the Kings Writ or Commission*, and not by Patent, Cease, and become void by the Kings death, for this very reason, because they are constituted, *Iustitiarios & Vicecomites nostras ad pacem nostram, &c. custodiendum* The King being dead, his Writs and Commissions expire with him. 4 *Ed.* 4. 43 44. *Brook.* Office and Officer 25. Commission, 19 21. *Dyer* 195. *Cook* 7 Rep. 30, 31. 1 *Ed* 6. c. 7. *Daltons* Justice of Peace, chap. 3. pag. 13. *Lambert*, pag. 71.

Object. If any object the Act of continuance of this Parliament, 17. *Car. That this present Parliament shall not be dissolved unlesse it be by Act of Parliament to be passed for that purpose.*

Answ. It is Answered, *That it is a Maxim in Law, that every Statute ought to be expounded according to the intent of those that made it, and the mischiefs it entended only to prevent.* 4 *Ed.* 4. 12. 12. *Ed.* 4. 18. 1 *Hen:* 7, 12, 13. *Plowdens* Commentaries fol: 369. *Cooks* 4 Institutes pag, 329, 330. *Now the intent of the makers of this Act, was not to prevent the Parliaments dissolution by the Kings Death, (no waies intimated in any Clause thereof, although it be a cleere dissolution of it to all intents, not provided for by this Act) but by any Writ, or Proclamation of the Kings by his Regall Power*, without the consent of both Houses, which I shall prove by the Arguments following.

1, *From the principall occasion of making the said Act.* The Commons in their Remonstrance, 15, *December* 1642. complaine, That the King had dissolved all former Parliaments against approbation of both Houses of Parliament: *Wherefore to prevent the*

the Diſſolution, Prorogation, or Adjournment of this preſent Parliament by the Kings regall power, after the Scots Army ſhould be disbanded, and before the things mentioned in the Preamble could be effected, was the ground and occaſion of this Law: and not any feare of Diſſolving the Parliament by the Kings death, Naturall or Violent, which is confeſſed by the Commons in the ſaid Remonſtrance, *Exact Collect.* pag. 5, 6, 14, 17. compared together, where they affirme, the abrupt diſſolution of this Parliament is prevented by another Bill, &c. In the Bill for continuance of this Parliament, *there ſeems to be ſome reſtraint of the Royall power in Diſſolving of Parliaments; not to take it out of the Crown, but to ſuſpend the execu ion of it for this time*, and occaſion onely, which was ſo neceſſary for the Kings own ſecurity, and the publique peace, that without it we could not have undertaken any of thoſe great Charges, but muſt have left both Armies to diſorder, and confuſion, &c.

2. *The very title of this Act* [*an Act to prevent inconveniences which may happen by the untimely Adjourning, Proroguing, or Diſſolution of this preſent Parliament*] *intimates as much, compared with the body of it, which provides as well againſt the adjourning, or Proroguing without an Act, as againſt a diſſolution. Now the Parliament cannot be ſaid to be adjourned, or Prorogued untimely by the Kings death, (which never adjourned, or Prorogued any Parliament) but only by his Proclamation, Writ, or Royall Command to the Houſes, or their Speaker executed during his life time*, See Parl. Rols, 6 *Ed.* 3, 2, Ro. Parl. 3, 6, 5 *Ric.* 2. n. 64, 65. 11. *Ric.* 2. nu. 14, 16, 20. 8 *Hen.* 4. nu. 2, 7. 27 *Hen.* 6. nu. 12. 28 *Hen.* 6. nu. 8 9 11. 29 *Hen.* 6. nu. 10, 11. 31 *Hen.* 6. nu. 22, 30, 49. and *Cook.* 4. Inſtit. p. 25. *Dyer* fol. 203.

3. *The Prologue of the Act implies as much, whereas great ſummes of Mony muſt of neceſſity be ſpeedily advanced* for reliefe of his Majeſties Army (not his Heire or Succeſſor) and for ſupplying other his Majeſties (not his Heires, nor Succeſſors) occaſions, which cannot be ſo timely effected, as is requiſite, without credit, for raiſing the ſaid Monies; which Credit cannot be atttained untill ſuch obſtacles be firſt removed, as are occaſioned by Fears and Jealouſies, *That this Parliament may be Adjourned, Prorogued, or Diſſolved, before Juſtice ſhall be duly exe-*

cuted upon Delinquents (then in being, as *Strafford, Canterbury* not ſince made) *Publique Greivances* (then complained of, as Star-chamber, High Commiſſion, Ship-money, Knight-hood Money, Tonnage, and Poundage, &c.) redreſſed: *Peace concluded* between the two Nations, *ſufficient proviſions made for repayment* of the ſaid Monies (not others ſince) ſo to be raiſed. *All which expreſſions related only to His late Majeſty, as to His acts of Royall Power, not to His Heires and Succeſſors after His Naturall* (*much leſſe*) *Violent death*, which was not then thought on, but publickly Deteſted, and Proteſted againſt; no Man being ſo hardy as to mention it for fear of the Law, not then ſubdued by the Sword; And the ſeverall Principall Scopes of this Act are fully ſatisfied long before the late Kings death.

4. *It is cleer by the Body of this act*; And be it declared, &c. That this preſent Parliament &c. *Shall not be diſſolved, unleſs it be by act of Prliament to be paſsed for that purpoſe; nor ſhall at any time*, or times during this preſent Parliament, *be adjourned or Prorogued*, unleſſe it be by Act of Parliament to be paſſed for that purpoſe; and that the Houſe of Peers ſhall not at any time, or times during this preſent Parliament, be adjourned, unleſſe it be by themſelves, or by their owne Order. And in like manner, That the Houſe of Commons ſhall not at any time, or times be adjourned, &c. as aforeſaid. From whence it is undeniable,

1. *That this Act was onely to prevent untimely Diſſolving, Proroguing, and adjourning* of that preſent Parliament then aſſembled, and no other, by acts of Royall Power.

2. *That the King was the Principall Eſtate, and Member*, yea, our Soveraign Lord, the ſole Declarer, and Enacter of this Law, by aſſent of the Lords and Commons.

3, *That neither this Act, nor any other, for Diſſolving, Proroguing, or adjourning this Parl. could be made without the Kings Royall aſſent*, which the Lords and Commons in their Remonſtrance 26. *May*, 1642. often acknowledge, together with His Negative voice to Bills, *exact Collect.* p. 69. 70, 76. 709. 722.

4. *That it was not the Kings intent in paſſing this Act to ſhut Himſelf out of Parliament*, or create Members of Parliament without a King, as He profeſſeth Εικὼν Βασιλικὴ c. 5. *Nor the Lords and Commons intent to Diſmember Him from His parliament*

ment, and make themselves a Parliament without Him, as their said Remonstrance testifies; and the words of the Act import, *much lesse was it their intent to pack a Parliament of forty or fifty Commons onely, selected by Colonell* Pride, *to Vote according to the Dictates of a Councell of Warre*, after they had destroyed the King, and House of Peers: *Against which transcendent usurpation this very Act provides, That the House of Peers shall not be so much as Adjourned, or Prorogued, but by themselves, or their owne Order.*

5. *Neither did the King, Lords, and Commons, in passing this act intend, That by Murdering the King, abolishing the House of Lords, and expelling by power of the Sword eight parts of ten of the Commons, the remaining Faction should constitute themselves, their Heires and Successours, a Perpetuall Parliament*, which would Crosse, and Repeale the Act for a Tryennial Parliament made on the same day in Law. *Brook*, Parliament 80. Relation 85. *Dyer* 85

It is against the nature, and essence of a parl. to be perpetuall, and against the Liberty of the people.

6. *The last Clause of this Act concludes as much, And that all, and every thing, or things whatsoever done, or to be done (to wit, by the King, or His Authority) for the Adjournment, Proroguing, or dissolving of this Parliament*, contrary to this present Act, shall be utterly voide and of none effect. *Now Death of the King, & dissolution of this Parliament thereby cannot properly be stiled a thing done, or to be done by the King, if by those words (things done, or to be done for the dissolving, &c.) they shall say, they related to the Kings Naturall Death*: Natural Death is the Act of God, which these Saints cannot make voide, *if they related to His violent Death, it could not then be said a thing done, or to be done for the unlawfulnes, and injustice of it. This Act passed long before any War, or Bloud-shed*; The onely pretence they have since found out for the Kings Murder.

2. If this Parliament were not Dissolved by the Kings Death, *Yet the House of Peers (formerly Voted) downe by the Commons gave no consent to the passing this Act*, entituled, *an act of the house of Commons*; who, without the concurring Assent of the Lords, and the Kings Royall Assent, have no power to passe any Act Make, or Declare any Law, or impose any Tax, as appeares by the fore-recited Acts, *The Petition of Right*, the *Act*

for the Trienniall Parliament, and this very Act against Dissolving, Proroguing, &c. with all our Printed Statutes, Parliament Rolls, and Law-Books. The Commons being so farre from claiming the sole Legislative Power heretofore, as that they were not Summoned to our Ancient Parliaments, (which consisted onely of King, Lords Temporall and Spirituall) untill 47. *Hen.* 3. nor had they so much as a House of Commons, or Speaker, untill the Raign of *Edward* 3. nor never tendred any Acts, or Bills to the King, but Petitions onely of Grievances, untill long after *Richard* 2. time. See the Printed Prologues to the Stat. 1. 4. 5, 9, 10, 20, 23, 36, 37, 50. *Edw.* 3. 1 *Ric.* 2. 1, 2, 4 5, 7, 9, 11, 13 *Hen.* 4. 1, 2, 3 4, 8. 9 *Hen.* 5. 1, 2, 3, 4, 6, 8, 9, 10, 11, 14 1. 28. 29. 39 *Hen* 6, 1 4. 7. 8. 12, 17 2. *Edw.* 4. 1. *Ric.* 3.

3. *But suppose the Commons alone had power to impose Taxes, yet it must be in a full, and free House*: whereas, when this Act for 90000l. a Moneth passed, the House was neither Full, nor Free, The Major part of the House (who by Law are the House) to wit, 8. parts of 10. at the least, being secured, or secluded by Col. *Pride*, and his Souldiers, by confederacy with those 40 or 50 then sitting when this Act passed, and acting the Wills of the Councell of Officers, to the subversion of Parliaments, and the great wrong of those Counties and Burroughs for which they served.

Objection If it be objected, that by usage of Parliament, 40 *Members make a House of Commons.*

Answer 1. I Answer, not to all intents and purposes, *Not to grant Subsidies, nor passe Laws, or matters of greatest moment, Modus tenendi Parl. Cooks* 4 Instit. pag. 1, 2, 26, 35, 36. *Cromptons* Jurisd. of Courts, fol. 1, 39 *Edw.* 3. 7. *Brook*, Parl. 27. 1 *Jac.* c. 1.

2. 40 Members make not a House, when the rest are excluded by force without dores, and fraud of their fellow Members within dores, on purpose, that (being the Major number) they may not over-vote them. *The Commons not having power to expell any of their Members, without consent of King and Lords, in whom only the judiciall power resides. Paribus in Pares non est Potestas*, Clauf. *Dorf.* 7 *Ric.* 2, *M.* 27, *Seldens* Title of Honour, page 737. Baron *Camoyes* case discharged by the Kings Writ, and Judgment, from serving amongst the Commons, because a Peere

Peere of the Realm: The Practice for Members to Expell and Sequester their Fellow-Members, being a late dangerous innovation, to pick a Factious conventicle instead of a Parliament.

If the King should send forth no more Writs then would Summon 40 or 50 Commons, it were no House. Added by the Abridger.

So Mr. *Pryn* concludes; that if he should voluntarily submit to pay this Tax, by virtue of the said pretended Act of Parliament, Dated 7 *April*, 1649. made by those now sitting, (some of whose Elections have been voted void, others of them Elected by new illegall Writs, under a new kind of Seale, since the Kings Beheading; as the Earle of *Pembrooke*, & Lord *Edward Howard* uncapable of being Knights, or Burgesses by the Common Law, because Peeres of the Realme, as was adjudged in the Lord *Camoyes* case, *Claus. Dors.* 7 *Ric.* 2 M. 32 and asserted by Master *Seldens* Titles of Honour, *part* 2. *chap.* 5. *page* 735. Seconded by *Cooks* 4 Instit. *page* 1:4-5. 46.47:49.) as he should admit those to be Lawfull Members, so he should assent to *ex post facto* some particulars against his knowledge, and against the Oathes of Allegeance, Supremacy, protestation, Solemne League and Covenant, taken in the presence of God, with a sincere heart, and reall intention to performe the same; and persevere therein all the dayes of his life, without suffering himselfe directly, or indirectly, by whatsoever combination, Perswasion or Terrour to be withdrawn therefrom. As for example he should thereby acknowledge, contrary to his knowledge, and the said Oathes and Covenant.

1. That there may be, and now is a Lawfull Parliament of *England*, actually in being, and legally continuing after the Kings Death, consisting only of a few late Members of the Commons House, without either King, Lords, or most of their fellow Members.

2. That this Parliament sitting under a force, (and so unduly Constituted, and packed by power of an Army combining with them) hath just and lawfull Authority.

1. To Violate the priviledges, rights, freedoms, customes, and *alter the Constitution* of our Parliaments themselves.

2. *To Imprison, Seclude, and Expell* most of their fellow

Members (the farre Major part of the House) for Voting according to their Consciences, (in favour of Peace, and settlement of the Common-wealth.)

3 *To Repeal* all Votes, Ordinances, and acts of Parliaments they please.

4. *To Erect new* Arbitrary Courts of Warre and Justice.

5. *To Arraigne, Condemne, and Execute* the King himself, with the Peeres, and Commons of this Realm, by a new kind of Martiall Law, contrary to *Magna Charta*, The *Petition of Right*, 3. *Car.* and the known Lawes of the Land.

6 *To Dis-inherit* the Kings Posterity of the Crown.

7 *To extirpate* Monarchy, and the whole House of Peers.

8. *To Change and Subvert* the Ancient Government, Seales, Laws, Writs, Legall proceedings, Courts, and Coyne of the Kingdome.

9. *To Sell and Dispose of all* the Lands, Revenues, Iewels, Goods of the Crowne, with the lands of Deanes and Chapters, (for their own advantage, not the easing of the People from Taxes)

10 *To absolve themselves (by a Papall kind of power) and all the Subjects of England and Ireland*, from all the Oaths and Engagements they have made to the Kings Majesty, His Heires and Successours; yea, from the very Oath of Allegiance, notwithstanding this expresse Clause in it (fit to be laid to Heart by all Conscientious Christians) *I doe believe, and in Conscience am resolved, that neither the Pope, nor any person whatsoever, hath power to absolve me of this Oath, or any part thereof, which I acknowledg by good and full authority to be lawfully Ministred to me; and do renounce all Pardons, and dispensations to the contrary.*

11. *To dispence with our* Protestation and Covenant so Zealously enjoyned by both Houses on all sorts of People.

12 *To Dispose of the* Forts, Ships, Forces, Offices, and places of Honour, Power, Trust, or proffit, to whom they please, (to their own party.)

13. *To Displace, and Remove* whom they please from their Offices, Trusts, pensions, Callings and Franchises at their pleasures, without any legall cause, or Tryall.

14. *To make What New Acts, Lawes, and Reverse what Old*

ones.

ones they think meet, to ensnare and enthrall our Consciences, Estates, Liberties, and Lives.

15. *To create new monstrous Treasons* never heard of before; *and to declare Reall Treasons against the King, Kingdom, and Parliament to be no Treasons*; and Loyalty, Allegeance, due obedience to our known Lawes, and a Conscientious observing our Oathes of Allegeance and Supremacy, and the Covenant, to be no lesse then High Treason: for which they may take away our Lives, and confiscate our Estates to their new Exchequer. Thereby at once repealing *Magna Charta*, c. 29. 5 *Edw.* 3. c. 6, 25, *Edw.* 3, c. 4. 28 *Edw.* 3, c 3. 37 *Edw.* 3. c. 18. 42 *Edw.* 3. c. 3. 35 *Edw.* 3, c. 2. 11 *Rich.* 2. c. 4. 1 *Hen:* 4. c. 10. 2 *Hen.* 4. Rot. Parl. 11, n. 60. 1 *Edw.* c. 12. 1. *M.* c 1. *The Petition of Right*, 3 Car: So much commended this Parliament, and laying all our Laws, liberties, Estates, and lives waste, after they have drawne so much Bloud and Treasure from us, in defence of them.

16. *To raise, and keep up what forces by* Land and Sea they please, and impose what *taxes they please*, and renew, increase, and perpetuate them to support their more then Regall or Parliamentary power.

17. *To pack, and shuffle themselves into a Councell of Lords, States Generall* (*without any provinciall States*) 40 Hogens Mogens, with Supreme, Regall, and arbitrary power, in absence of Parliaments which are abolished by these Vsurpations as well as Monarchy. This 17. is added by the Abridger.

4. The principall ends proposed in the pretended Act for imposing this 90000 l. a moneths Tax, oblige all men not to pay it, viz. The keeping up this Army under the Lord *Fairfax*.

1 *Because this Army, by Rebelling against their Masters*, the Parliament, and waging Warre upon them: and by conspiring with their own party of the sitting Commons, have occasioned all the Mischiefs last mentioned, to the ruine of King, Parliament, and Kingdome, Religion, Lawes Liberty, and Property; and daily threaten an utter dissolution, both in their Deeds, and VVords. Both Officers and Souldiers Boasting, *That the whole Kingdome, and all we have is theirs by Conquest*; *That we are but their Conquered Slaves and Vassals, and they Lords of the Kingdome*. *That our Lives are at their Mercy and Courtesie*; *That when they have*

gotten

Gotten all we have from us by Taxes and free quarter, they will seize our Lands, and turne us, and our Families out of Dores: That there is no Law in England *but the Sword*, (*as Hugh Peters* the Rebels Apostle saith) *The present Power must be obeyed*, (saith pharasiticall *John Goodwin*) that is the power of the Sword still.

More hath been raised by Taxes these last 8 years, then in all the King Raignes since the Conquest and no account given.

2. *No Tax ought to be imposed but upon necessity, for good of the People*, 25. *Edw.* 1. chap. 6. *Cook* 2 Instit. page 528. But the keeping up the Army is the bane of the People.

1. Because they are already exhausted with War, Plunder, Taxes, Free-quarter, &c.

2. Because the Souldiers have decayed trade, and brought a Dearth upon the Land.

3. This Tax of 90000l. a Moneth destroyed Trade, by forestalling, and Engrossing most of the Money now left in the Kingdom.

4. There is no enemy in the Kingdom visible, nor no fear of any, if we will believe our Grandees.

5. When the King had two Armies in the field, and many Garrisons, this whole Army consisted but of 22000 men, and had an established pay but of 45000l. a Moneth. See *Ordinances*. 15. *Feb.* 1644 and 6 *April* 1646. *Exact Collect.* page 599. 876. But when the Army (by confederacy with their party in the House) took the boldnesse to increase their number without order, 60000l. a Moneth was thought abundantly sufficient to pay the Army, and take off free-quarter: and why this Tax should now be raised to 90000l. a moneth, when sundry Regiments of it are Assigned for *Ireland*, and yet Free-quarter Continued, is a mystery of Iniquity which fills the Saints Pockets with Mony, and all the World with Wonder.

6. The Counties Militia (so much contended for with the King) would better defend the Kingdome from Forraigne invasions then a mercinary Army. Therefore this is neither a necessity, nor publique utility in keeping up this army, or raising taxes to maintaine them, or pay their pretended Arrears. The Free-quarter they have taken in hand, and Leavied in mony, will trebble their Arrears, and make them much indebted to the Country. Thus farre (and much farther) Master *Pryn*, whose

whole

whole booke at Large I Commend to all mens serious perusall.

The Marquesse of *Ormonds* happy atcheivements in *Ireland* beginning to looke formidably, had cooled the heat of King *Olivers* courage (though not of his Liver) insomuch that he and his intimate Friends began to project how (without losse of reputation) to take him off from so desperate an engagement, as (at that time) that seemed to be: unnecessary delaies were used in Shipping his men. *Hasterigge* and his party reported great terrours from *Scotland*. *Oliver* and his Bloud-hounds of the faction made a shift to smell out a silly plot in *Dorset-shire* for surprisall of *Waymouth and Portland* for the King: now laughed at, and exploded by their owne Newes-bookes. And the tender conscienced Brethren were prompted to apprehend their owne dangers, and put into a Petitioning posture, *That such a worthy of* Israell, *such a chosen instrument of Gods Mercy, might not in a time of danger leave the Land of his Nativity, the habitation of the Saints, to seeke Foraigne adventures in a Heathen Land*: whilst these preparations were making to withdraw *Olivers* stake, he appeared not openly in them, but making more shew of the Lyons skin then the Foxes, had written to Col. *Jones* how heartlesse his Souldiers were, and that unlesse *Iones* did by some successefull Sally lessen their terrour, he should not be able to get them on ship board. This was (like the Monkey) to rake Chesse-nuts out of the fire with the Catts foot, to take a presage of his own successe at Col. *Iones* hazard. *Iones* makes an attempt with better luck then he expected, though not with halfe so good successe as was reported. Saterday, 12 *August*, when the news first came to Towne, (the Lion is not so terrible as he is painted) it is a peculiar priviledge of the Saints to lie (without sinne, or at least, without imputation of sinne) for the good cause either in *Re* or in *modo Rei*; *in the matter, or manner*; in the thing, or the extent thereof: yet this successe was enough to invite *Cromwell* over to pursue the Victory, and partake of the spoyls if not to usurpe the whole Honour of the atchievement to himselfe, by his accustomed speciall prerogative. So upon the 16 or 17 of *August*, King *Nol* set sayle towards his new Principality, carrying (contrary to the custome of the Sea) his Lanthorne in his Prowe, not in his poope; where wee will leave him for the present to his adventures.

204 *Cromwell* sets sayle for *Ireland*.

205 The Association between *Oneal* and Col. *Monk*. See the Paper at large.

I have formerly hinted to you the Agreement made between Colonel *Monke*, in behalfe of the Parliament of *England*; and *Owen Roe Oneale*, the massacring Irish Rebell: I have now occasion to speake more at large of it, and examine the truth of a Paper, called. [*The true state of the Transactions of Colonel* Georg Monke *with* Owen Roe Oneale, *as it was reported to the Parliament by the Councell of State, &c.*] Printed by *Edward Husbands*, 15. *August* 1649 The said Agreement made between the Antimonarchicall Independent Party in *Ireland*, and the massacring Antimonarchicall Popish Party under *Owen Roe Oneale* (being a meer conspiracy to root out Monarchy and Protestancy; first, in *Ireland*, and then in *England*: and a second crucifying of Christ in his Members between two Thieves, the Schismatique and the Papist) was so generally abhorred by the English Souldiery, that many there took occasion to forsake the English Parliament; and many here disbanded rather than they would accompany *Cromwell* in so wicked an expedition. Wherefore *Cromwell* writ Letters to his Creatures of the Councell of State by *Monke* himself, complaining how much the miscarriage of that Agreement had retarded his said Voyage; desiring them (for satisfaction of the Souldiery and people) to Treat with *Monke* to take the whole businesse upon himselfe, and to cleer the Councell of State, the Parliament, and *Cromwell* himselfe, from having any hand at all in it, which upon Tearmes of safety and advantage (he said) he already found him inclinable to doe. The better to carry on the scene, this Agreement was with much heat of zeale complained of in the apocryphall House of Commons, by a Brother who had his cue beforehand, and by the Junto was referred to the Councel of State as was forelaid, where their High and Mightinesses (after some private conference with *Monke* to accommodate the businesse) voted their dislike of it: *Bradshaw* reprehending *Monke* in jest therefore. And at last they Ordered, *That the whole businesse, with* Monks *Reasons for his justification should be reported by* Thomas Scot *to the House of Commons*; which was accordingly done. Upon Friday, 10. *August*, *Monke* was called in to the Barre, where (amongst other things) the Speaker asked him, *What Persons he meant in his Letter to the L. Leiutenant of* Ireland; wherein he saith, *He made the Agreement with* Oneale *With the advice of some*

Scot having studied the politiques in a Brewers tally, is become a great Statesman in our new *Babel*. See the said paper, *The true state, &c.*

some others? *Monke* answered, *that he did it upon his own score, without advice of any other Person; onely having discourse with Col.* Iones: Iones *told him, if he could keep* Owen Roe *and* Ormond *from joyning, it would be a good service.* This Answer (such as it is) was taken for Satisfactory in so Comick an Intermade. The next demand was, *Whether he had any advice or Directions from the Parliament, Councell of State, Lord Lieutenant of* Ireland, *or any other Person here to do the same?* which he did expresly deny, saying, he did it upon his owne score. Hereupon the House voted as followeth:

Resolved, &c. That this House doth utterly disapprove of the proceedings of Col. Monk *in the Treaty and Cessation* (as they please to call it) *made between him and* Owen Roe Oneale, *and that this House doth detest the thoughts of any closing with any party of popish Rebels there who have had their hands in shedding English blood. Nevertheless the House being satisfyed that what the said Col.* Monk *did therein, was, in his apprehension necessary for the preservation of the Parliament of Englands Interest: That the House is content the farther consideration thereof; as to him, be laid aside, & shall not at any time hereafter be called in question. So exit* Monk, and the play was done: wherein take notice of these following Observations:

See the Answer of the Councel of Officers to the Parliaments demand concerning their secured Members: And their Answer thereto.

1. The armies Doctrine, and use of pretended necessity and good intentions to justifie evill actions; approved of by this example of the Parliament (as they will be called.)

2 This Agreement (though it were at least twelve Weeks ago publiquely knowne in *England*; and divulged in their own Licenced Newes bookes) was never scrupled untill now, That 1. the said Agreement was expired, 2. That *Oneale* was so beaten by the Lord *Inchiquine*, that he is (as their owne Newes-books say) inconsiderable, and must suddenly joyne with the Marquesse of *Ormond*, or be destroyed.

3. That these *Votes* call this * Agreement but *a Treaty & Cessation of Armes*: which (I affirme) to be a League Defensive and Offensive against *Ormond*, *Inchiquine*, and all other who shall

* Let me not seem over bold in maintaining a different opinion, since Parliaments are no more infallible than Popes; and all human opinions are equall unlesse Reason make the difference. I hope we have not lost our Reason with our Lawes and Liberties, nor the exercise and use of it.

uphold Monarchy (if not Protestancy too) for these Reasons: 1. Article second saith, *that upon all occasions both Parties be ready with their forces to assist one another untill a more absolute Agreement be made and condiscended unto by the Parliament of* England. This is beyond a Cessation. 2. Article third, saith, *That the Creaghts of* Ulster residing within the quarters of Col. *Monke*, shall pay Contribution to Generall *Owen Oneale*. This is a Concession of a great latitude farre beyond the authority of any subordinate Commander or Generall, and against the Lawes and Liberties of the Land to grant *Taxes*. It should seeme by this, that *Oneale* and his Army were become Mercenaries, taken into pay by *Monke*. 3, Article fourth, saith, *That if Generall* Owen Oneale *shall happen to fight against the Forces under the command of the Marq; of* Ormond, *the Lord* Inchiquine, *or any other enemies of the Parliament of* England, *and thereby spend his Ammunition, if he be neere unto my Quarters, and be distressed for want of Ammunition, I shall then furnish him.* This was actually performed when My Lord *Inchiqueen* Besieged *Dundalke*. I make the same interpretation of this Article that I have made of the third. 4. The fifth Article alloweth to *Oneale the use of any Harbours within Colonell* Monkes *liberty*; which likewise is to much for a bare Cessation or Truce.

4. Who can believe that any Subordinate Officer commissionated to prosecute a War against *Owen Roe* and the rest in Armes in that Kingdom, should dare to Treat and conclude an Agreement and conjunction with that very enemy he had Commission to fight against without the knowledge or directions (publique or private) of those from or under whom he hath his Authority; and should be so bold when he had done to come over and justifie his said doings, notwithstanding they proved unprosperous? Col. *Monke* being so much a Souldier as to know, *That* (all the world over) *to exceed the bounds of his Commission* (much more to act against his Commission, as in this case) *is assured death without mercy, both by law Martiall,* (without which Military disciplin will perish) *and by the Lawes of our Land.*

See the said Letter, printed at the latter end of *a Relation of the securing and secluding of the Members by the Army.*

5. Wherefore was Sir *John Winter* and Sir *Kenelme Digby* sent for over? (as was foretold by an intercepted Letter, where-

of

of I have formerly spoken) and *O Realy* the Popes Irish Agent, and another Agent from *Owen Roe O Neale* privately entertained in *England* (as I have formerly hinted) but to drive on Treaties and Associations of this nature ?. insomuch that long since it was whispered amongst *Cromwels* party in England (to uphold their Spirits) *That upon his shewing himselfe in Arms in* Ireland, Ormonds *Catholique Irish party would all forsake him and go over to* O Neale, *who maintained the Popes Interest in that Kingdom.*

Nota.

The aforesaid Paper printed by Authority, and stiled, *The true State of the transactions*, &c. besides the said *Articles of Cessation*, setteth down other Artcles, called,

The Propositions of Generall *Owen O Neale*, the Lords, Gentry, and Commons of the confederate Catholiques of *ULSTER*: To the most High and most Honourable, the PARLIAMENT of *ENGLAND.*

1. INprimis. *That such as are already joyned, or shall within the space of three Moneths joyne with Generall* Owen Oneale, *in the service of the Parliament of* England, *in this Kingdome, as well Clergy as others, may have all Lawes and Penalties against their Religion and its professors, taken of by act of Parliament, and that Act to extend to the said Parties, their Heires and Successors for ever, while they Loyally serve the Parliament of* England.

[*within the space of three Months*] is not in the said Copie printed at *Corke.*

2. *The said Generall* Oneale *desireth an Act of Oblivion to be passed, to extend to all and every of his party, for all things done since the beginning of the yeare,* 1641.

3. *They desire that Gen.* Owen O Neal *be provided with a Competent Command in the Army befitting his worth and quality.*

4. *They desire that they may enjoy all the Lands that were, or ought to be in their, or their Ancestors possession.*

5. *That all incapacity, inability, & distrust hitherto by Act of State, or otherwise, against the said Party, be taken off.*

6. *That on both sides all Iealousies, Hate and Aversion, be laid aside: Unity, Love and Amity, be renewed and practised between both parties.*

7. *That Generall* Owen O Neale *may be restored and put in-*

Ancestors not *Successors*: a fault of the printers.

possession of his a *Successors Estates, or some Estates equivalent to it in the Counties of* Tyrone, Ardmarch, *or* Londondery, *in regard of his merit, and the good service that he shall perform in the Parliament of* Englands *Service, in the preservation of their interest in this Kingdome.*

8. *That the Army belonging to Generall* Owen O Neale *and his Party be provided for, in all poynts as the rest of the Army shall be.*

9. *That the said Party be provided with, and possessed of a convenient Sea-port in the Province of* Ulster.

¶ I doe, upon receiving a confirmation of these Propositions, forth. with undertake and promise in behalfe of my selfe, and the whole party under my Command, faithfully and firmely adhere to the service of the *Parliament of England* in this Kingdome, and maintaine their Interest hereafter, with the hazard of our lives and fortunes:

¶ *In witnesse whereof, I have hereunto put my hand and Seale this* 8 *day of* May, Anno Dom. 1649.
Signed *Owen O Neale*

The Story of the farther trā. sactions be. tween O Neal & Monk continued and enlarged out of the Propositi. ons printed at Corke.

Thus farre the said Paper, stiled, [*The true State &c.*] goes on with the Relation of the said Treaty and Agreement, but conceales what further Transactions passed betweene *Monke* and *O Neale* upon the last recited Propositions: Wherefore I shall be bold to continue the Story out of a Paper entituled, [*The Propositions of* Owen Roe Oneale *sent to Col,* Monke, *and a Cessation for three Months concluded between them. Together with a Letter thereupon sent by a Gentleman at* Dundalk, *to his Friend at* Corke, *Printed at* Corke, 1649.] The last recited propositions were sent to *Monke*, 25. day of *April* 1649. who perused them, and made some inconsiderable alterations in them, as appears by *Monke* Letter of answer thereupon to *Owen O Neale* dated from *Dundalke* 26. *Aprill*, 1649. as I find it in the said Paper printed at *Corke*, in these words:

SIR,

I *Have received yours of the* 25. Apr. *& I have seen your Order given to* Capt. Hugh Mac Patricke Mac Mahon, *to Treat and Conclude*

a

a Peace with me in the behalf of your selfe and the Forces under your Command. I have perused your Propositions, and conceiving there are some particulars in them which at first view the Parliament of England *may scruple to grant, I have made a small alteration in some of them, being well assured, by it, you will not receive the least disadvantage, but it will rather prove a meanes to beget an increase of their good opinion towards you and your Party: which I believe your reality, fidelity, and action in their Service will sufficiently merit, and in case you approve of them, as I have revised and altered them, I desire you to send them to me Signed and Sealed by you, that I may present them to the Parliament of* England, *to obtain their favourable Answer in return of them: And in the mean time I desire that according to this inclosed Paper, three Months cessation between us be condescended unto, and inviolably kept between our Forces during the same time.*

Dundalke 26. April, 1649.

George Monke.

1. Colonel *Monke* in his said Letter to *O Neale*, 26. *April*, answereth him: 1. *That he had perused his Propositions, and conceiving there are some Particulars which at first view the Parliament of* England *may scruple to grant, &c.* A gentle Phrase to nourish hopes in *O Neale* even of obtaining all his Demands (if need be) upon debate and deliberation; though not at first view. *That he hath made a small alteration in some of them* (I confesse very small) *being well assured he should not receive the least disadvantage by it, &c.* From whom had *Monke* this Assurance, unlesse from those Men by whose Authority and Directions (private or publique) he presumed to Treat with that Enemy he was Commissioned to fight with, and whose Names he doth conceale? That *it* (yeilding to *Monks* amendments) *would rather prove a meanes to beget an encrease of their* (the Parliaments) *good opinion* of Owen Roe O Neale *and his party &c.* It should seem them the Parliament had entertained a good opinion of *O Neale* and his Party before hand; for every thing must have a being, before it can have an encrease of being. *In case you approve of them* (the amended Articles) *I desire you to send them to me Signed and Sealed by you, that I may present them to the Parliament of* England *to obtain their favourable Answer in returne of them &c.* You see all *Monke* did

1 Observations upon Monkes Letter.

did was in reference to the Parliaments ratification: and therefore reason tells us the Parliament was originally privy to the Treaty: It is not likely *Monke* should Treat upon his owne Head, and abruptly send the result of the Treaty to be confirmed by the Parliament without any warning foregoing to prepare them.

2 Observations upon the Propositions amended. See the said Paper printed at *Cork*, especially *Monkes* Letter.

O Neale sent his Letter and Propositions to *Monke*, Dited 25. *April* 1649. *Monke* answered his Letter and corrected *O Neales* Propositions the day after, being the 26 *April*.

And the last mentioned Propositions of Gen: *Owen O Neale, the Lords, Gentry and Commons of the Confederate Catholiques of Ulster &c*, as wel as the first mentioned Articles for 3 *months Cessation*, &c. beare date 8 *May*, 1649, which I conceive to be the date given them when they were ratified by the Parliament, or Councel of State. See the said Paper, [*The true state of the Transactions, &c.*] Then followes.

A second Copie of *Owen Roe O Neales* Propositions as they were Corrected by Col *Monke*, and sent to *Oneale* to be subscribed: and then sent by *Monke* to the Parliament to be granted: as followeth *verbatim*.

1. IN primis. *That such as shall joyne with Generall* O Neale *in the service of the Parliament of* England *in this Kingdome, may have Liberty of Conscience for themselves and their issue.*

2. *The said General* O Neale *desireth an Act of Oblivion be passed, to extend to all and every of his party for all things done since the beginning of the yeare* 1641.

3. *They desire that Generall* O Neale *be provided for a competent Command in the Army befitting his Worth, Place and Quality.*

4. *They desire they may enjoy all those Lands that were in their possession at the beginning of this War for themselves and their Heires during their fidelity to the interest of* England.

5. *That all incapacity, inability and distrust hitherto by Act of State, or otherwise, against the said party, be taken off.*

6. *That on both sides all Iealousies, Hate and Aversion be laid aside; unity, love, and amity, renewed and practised between both parties.*

7 *That*

7. *That Generall* O Neale *may be restored and put into possession of his ancestors Estate, or some other Estate equivalent to it, in regard of his merit, and the good service that he shall performe in the Parliament of* Englands *Service in the preservation of their interest in this Kingdome.*

8. *That the Army belonging to the Generall* O Neale *and His Party be provided for in all poynts as the rest of the army shall be.*

9. *That the said Party be provided with, and possessed of a convenient Sea-port in the Province of* Ulster.

See the Date in *the true state of Transactions &c.* it seems to be 8 *May*, 1649

And I doe, upon receiving a confirmation of those desires undertake and promise in the behalfe of my selfe and the whole Party under my command, faithfully and firmly adhere to the Parliament of *Englands* service in this Kingdome, and to maintaine their interest hereafter with the hazard of our Lives and Estates against all apposers whatsoever.

¶ *Given under my Hand and Seale.*

In the said paper, printed at *Corke*, is also contained, [*A Letter from a Gentleman in* Dundalke, dated 20 May, 1649.] which take here *verbatim*; that you may see what opinion Men there (upon the place) had of that businesse.

To my Worthy Friend, *at* Corke *in* Munster.

SIR.

YOu may wonder my Obligations being so great towards you; that my returnes of acknowledgment should be so seldom as they have been, but you must know there is no defect in my desires to be at your eares often; tis only the preservation of my Liberty and safety in these parts that makes me forbeare the frequency of such intercourses. I am confident these Letters, this Messenger and the inclosed papers, which I here send you, (containing a true Copie of the Propositions and Letters of agreement between *Owen Roe O Neale*, and Colonell *George Monke*) will be able to give you some account of the passages in these parts, and will make you assured that I do not forget the respect I owe unto you.

I must confesse to you that (as you ever conceived I never could imagin that the Parliament proceedings would have advanced to so

high a degree of Rage and Wickednesse, as I see they are now come to, and are resolved to act by: but being amazed at the KINGS Murther, and seeing the Gangrene doth so cruelly spread, I will impart to you my resolution, That I am resolved to get into your parts with the first conveniency, and adhere to you there, whose actions are more conducing to the preservation of our Religion, Law, and Common Interest, then any where else, that I can find. But that this my so sudden resolution may not be conceived the fruit of some vaine feare, miscarriage in my self, or light desires to abandon my former principles; I shall give you a right understanding of all the motions and passages of my soule, since I was acquainted with this late Treaty between Col. *Monk*, and *Owen Row O Neal*, that thereby you may judge of the ground of these my Designs and distasts, and my resolutions taken thereupun.

And before I consider the particulars of the Treaty, the thing it self is so odious unto me, that if they could have made the best bargain to be imagined for the English Safety, the manner of it would have appeared to me very unsavory.

For although it cannot be denied that almost the whole Irish party (in regard of their Confederacies, and Combinations) have not been innocent in all particulars of that vast Ocean of English blood that hath been shed; yet it is most clear that the Plotters and Contrivers of this Treason, and the unnaturall and butcherly Executioners thereof, are that Party principally, which are now headed by *Owen O Neale*; for, although many of the pale, with others of *Connaught*, *Leimster*, and *Munster* entertained the Design, when they saw it was so far spread, and the English so much weakned in their Persons and Possessions, yet it cannot be denied but this Kingdome had still many moderate-minded Men, that loathed their country-mens barbarity, and could never be drawn to adhere to their party in their least consent.

Now for the Parliament Agents, to gather up these Men (and these onely) that have been drunk with the Bloud of their Brethren, and to fortifie them with Armes, Councels, and conjunction of Forces, that thereby they may preserve to themselves the Triumphs of their Cruelty and Treachery, and to lap them up in their affections with promises of reward, if they will persevere to act with them the ruine of the KING and Monarchy, the destruction of the remnant of the

the English Protestants, and the ancient Irish who have now declared their Loyalty; and submitted to, and consociated with them, are things that I much loathe, and can no way imbrace.

Besides, if you consider the passages of the Treaty, you will easily be drawn (I suppose) to cast away your former entertained scruples, and not condemn me for being out of love with mine.

1. For first. The Title to *Owen Roes* Propositions excludes all other of his Nation but such as will joyn with him, though they be farre more capable of Peace and Pardon than Himselfe, or His Party.

2. He and his Party who in a late Paper of theirs, stiled the Parliament of *England*, Monstrosum Parliamentum, (the monstrous Parliament) when (as then) it had not be-smeared it self with Royal, Sacred, and Noble Blood, as since it hath done: yet now where he sees them act like himselfe, he hath taught his tongue to quaver, and calls them, *The most Honourable and potent Parliament*; when all Honour is persecuted by them, and no power exercised by them but brutish violence, and extreme tyranny.

3. In the second Proposition: That an Act of Oblivion be passed to extend to all and every of *Owen O, Neales* Party for all things done since the Yeare, 1641. You shall find that *Monke* approves of it totally, without the least reserve of punishment to any the most bloudy Plotters and Murtherers whatsoever that are in that Crew, which makes me more in love with my Lord of *Ormonds* peace than I was before.

4. 'Tis propounded by *Owen Roe*, and approved by *Monk*, That he shall have a Sea-port to himselfe, to make use of, for the perfecting of his designes, when (as we hear) the least Traffick will not be allowed to you in *Munster*.

5. Although Col. *Monk* doe a little pare his Propositions concerning the Repealing of Statutes against Roman Catholiques since *Hen.* 8. lest he should offend the People: And though he doe not absolutely undertake to grant him all his Ancestors Lands (which when he is once stiled *O Neal*, he will challenge to be the six escheated Counties) yet by *Monks* Letter he is assured, that he shall not receive the least disadvantage thereby. All which directions, Counsels, and assurances, (I am confident) Col. *Monk* would not have used towards him, if he had not had a Parliament-foundation to warrant it.

Thus you see these men who lately were utter Enemies, have confederated together to ruine Monarchy and the Protestant Religion, meerely to raise themselves, and support their own Faction. They will not here allow the *KING* to make use of his own Subjects to revenge his Fathers Bloud, to Re-inthrone himselfe, to Re-establish Religion and the Lawes, and the just Liberties, and yet they allow themselves a latitude of calling in any party, though the most bloudy and inhumane, to assist them, in the carrying on their wicked designs.

We have seen Colonel *Iones* his Letter, censuring the Lord of *Ormond* for joyning the Irish to his party (though the best and least culpable of them) and yet the same Jones (whose head and hand is in this Treaty and Conclusion) thinks it allowable in himselfe to close with the worst, and that upon his own terms. And though Colonell *Monkes* hypocricy (in correcting *Owen O Neales* seven Articles) will not allow that Unity and Amity shall be publickly proclamed between them: yet he is willing it shall be practised, and they shall mutually assist one another against all opposers whatsoever, that is, the *KING*, and all in Authority under Him.

The consideration of these things hath left such an impression upon my Soule, that I am resolved to make speede to you, no way desiring to live under their commands, whose actions increase in horror, and beget new afflictions to all honest English hearts. So praying you to forbear further writing to me because I meane speedily to see you, I Rest,

Dundalke, May 20. 1649. *Your assured Friend and Servant.*

Upon which Propositions so corrected by *Monke*, and the close carriage of this businesse, I shall trouble my Reader with these following observations.

1. *Article.* You see the Counterfeit, Alchymy Saints, are content to joyne covertly with Massacring, Irish papists, to carry on their Antimonarchicall designes: and to make a false Religion and corrupt worship of God the Wages and Hyre of Righteousnesse.

2. *Article.* You see those men that are so bloodily zealous to bring

bring Protestant Delinquents (nay, the King Himselfe, under the notion of the *Grand Delinquent*, *the Man of Blood*) to punishment, and pretend themselves engaged by Oath so to doe; can dispence with the Massacre of two hundred thousand English Protestants barbarously and inhumanely slaughtered in *Ireland* in time of full Peace; and can grant an Act of Oblivion to whole Armies of their Murderers, thereby at once making their Antimonarchicall interest the price for which they sell the innocent blood of their Brethren, and defrauding the Irish adventurers of that Mony which the Parliament perswaded them to lay forth to purchase Rebels Lands in *Ireland*, for which they have an Act of this Sessions of Parliament.

The like may be said of the 4. and 7. Articles, whereby Rebels attainted and convict are restored to their confiscated Lands, and the English Protestant planters that purchased them of the Crowne, are expelled out of their Inheritance: what is this but a designe to root out Protestancy as well as Monarchy?

5. *Article.* Taketh of all Incapacity, Inability, and distrust from *O Neale* and his party at that very time when with much counterfeit zeale they pretend great severity against the English Papists. I thinke because they are not so very Rebells as the Schismaticks.

According to their usuall custome, to accuse other Men of their owne crimes; they charged King *CHARLES* the First, (upon light surmises) *with complying with the Bloody Irish Papists*; and doe themselves actually combine with them to roote out Monarchy and Protestancy, giving them a tolleration *of their Religion, and the possession of the English Protestants Estates for their Hyre.* 3

And it now appears by Letters newly come to *London*, the 24. *August*, (notwithstanding the said Votes of the Commons *against all assotiations with the Irish Murderers*) *that Sir* Charles Coot, *and* O Neale, *are assotiated*; *and that the Siege from* Londonderry *was raised by* ONeales *helpe*; *which plainely proves*, that the Treaty and conjunction was not only between *Monke* and *O Neale*; but between *O Neale* and the Parliament, or Councell of State; and that the said Propositions so altered by *Monke* are confirmed by the Parliament, or Councell of State; and do still serve for a foundation. 4

Se the *Perfect Occurrences*, nu. 138. from *Aug.* 17. to the 24. 1649.

foundation for *O Neale* to assist the Parliament upon, who have turned out *O Neale* at the fore dore (to gull the People) and taken him in againe at the back dore.

1646. *Cromwells* soldiers desert him at *Milford haven*; and upon his complaint his House of Commons vote their Debentures void:

Many of K. *Olivers* Officers and Souldiers, abhorring the said Association with *O Neale*, deserted him at *Milford haven* (as I have related) and came to *London*, whither they were pursued at the heeles by a Letter from his Mushrome Majesty, directed to his Vice-Royes at *Westminster*, *willing his Parliament* (*that since* (*to encourage the Souldiers to undertake the Irish expedition onely*) *their Accounts had been Audited, and Debentures granted for their Arrears*) *they should recall and null their said Debentures:* In obedience to which Command, a thing like an Act of Parliament is drawne up, and order taken that the Commissioners that attend *Cromwell* into *Ireland* should certifie the Names of them all to the Parliament, that they may be punished in purse, for not prostituting their Consciences, and shedding more innocent bloud, with an implicite faith and blind obedience to K. *Olivers* unquestionable commands, in maintenance of usurpation and lawlesse tyranny. The rest of the Army may see, by this precedent, they may as well hope to recover a damned Soule out of Hell, as their Arreares out of this Bottomlesse Gulph, the New State: (notwithstanding all their faite promises, Orders, weather-cock Acts, and Debentures; which are all written in Wast-paper, and as changeable as Tickets and Securities for the Publique Faith.) It being their constant resolution and best policy to feed them (from time to time) with vaine hopes, and a little spending mony (for which they are never the better) now a bit of mony, and then a bob of Martiall Law; and alwaies to promise, never to pay their Arrears; thereby to keep them together from Disbanding, and going to their owne homes and callings; whilst the Councell of Officers (who onely are accounted the rationall part of the Army) receive duely their full pay, and whatsoever else they can sharke from the private Souldiers, (who are looked upon but as the Brutish part of the Army) in whom it is become a capitall Crime to question whether their Superiours deale justly with them or no? as it proved to *Lockyer*. The Common Souldiers, as well as the Common People, paying for the Ryot of their Colonels and superior Officers (who Lord it in their guilt Coaches

Coaches, rich Apparrell, costly Feastings, (though some of them lead Dray-horses, wore Leather pelts, and were never able to name their owne Fathers or Mothers) &c: and for the Lands they purchase too: yet the Officers have one device more to keep the Souldiers together, which is, They make them believe they are so generally hated they cannot with safety Disband and goe home; whereas it is the Superiors only that are looked upon with hatred as the Authors of Tyranny and Oppression: The Private Souldier being esteemed but their Instruments, and such as (in their kind and way) are Sufferers under the hand of oppression, as well as other men; many Souldiers have been purged out of the Army; others have voluntarily quitted the Army and returned to their callings, without being endangered or injured after their retirement, which shewes this objection is but a Scarcrow.

For the cleare manifestation of the Association between *O Neale* and the Parliament, there are lately come to the Councell of State two Letters out of *Connaught* from Sir *Charls Coot*, one Dated the 14. the other the 15, of *August*, 1649. informing them with how much zeal to the Parliaments interest *Owen O Neale* had freely raised the Siege of *London-Derry*. Upon which Letters, and the Votes and proceedings of Col. *Pride's* Parliament thereupon, I shall commend to my Readers observation these following particulars:

207. A League Defensive & Offensive, concluded between *O Neale* and Sir *Charls Coote* Governour of *Connaught* for the Parliament. See the last section save one.

1. The 15. *August*, Letters informe, *that* O Neale *freely offered his assistance to* Coote, *professing much affection to the Parliament of* England, *and an earnest desire to maintain their Interest, &c.* (which is, his owne interest) you may remember that this bloudy Rebel *O Neal* heretofore (when the Parliament was not halfe so corrupt as now) stiled it, *Monstrosum Parliamentum*: the Parliament of Monsters: but now that he sees them act his way, and concurre with him to destroy Monarchy and Protestancy, he stiles them, *The Honorable Parliament*; aids, and affects them.

2. The 14. *August*, Sir *Charles Coote* informs, *that he hath found* O Neale *and his army very punctuall and faithfull in all their Promises and Engagements, and he makes no doubt but they will continue so unto the end, &c.* The reason is, because they ayme all at one end and interest: Subversion of Monarchy and Protestancy, and

and goe one way to effect it, by a Conjunction of Forces and Councels.

3. The 15. *August*, *that* O Neale *in his Expresse to* Coote *enclosed some Letters he had received from* Monke; *and amongst the rest, a Copie of a Letter from* Monke *in answer to a Letter of the Lord* Inchiqueene, *charging* Monke *with joyning with* O Neale *and his Party*; *wherein* Monke *insinuated, as if* O Neal's *submission to use the Parliament Power, were already accepted by them, &c.* *Monke* needed not insinuate it, but might have spoken it Plainly: as he hath done to sundry of his Friends in *England*, who reprehended him for joyning with *O Neale*, to whom he answered, *that he had the authority of his superiours to warrant his doings therein*: But this was before he went to *Milford Haven* to *Cromwel*, who then taught him the art of Cromwellizing to carry on their designe.

Why did they cry out upon King *Charls* I. upon a surmise that he used the help of the more innocent Irish Papists, being his own Subjects under his Allegiance & protection? but we find the Godly are above all Laws.

4. The 15 *August*, *Cootes* Lettet (to justifie his doings) delivers a piece of Doctrine to the Councell of State; the Use whereof they were very perfect in before, *viz.* *Calling to mind that it is no new thing, for the most wise God, to make use of wicked Instruments, to bring about a good designe, for the advancement of his glory, &c.* This Casuist in Busse had forgotten, that we must not do evill that good may come thereof; and that both the just and the unjust, the righteous and the unrighteous man being al of Gods creation and making, he hath the same prorogative over them all *jure creationis*, that a Potter hath over his Pots, he may use them, and doe with them what seemeth best to his most holy will: and it is therefore Good, Holy, Just, because he Willeth it. His Divine pleasure being the Rule and Standard of Goodnesse, Holinesse, Justice. Mistake me not; I doe not meane his bare Providence, or Permissive Will, which no Man can take notice of, and Traytors, Tyrants, Thieves, and Reprobate Saints execute: and Boast of to their owne Assured Damnation. Therefore Gods employing wicked Instruments can be no President for our Alchimy Saints to doe the like; unlesse *Cromwels* * three Juntoes and faction, will usurpe Gods prerogative, as they have done the Kings.

* Councell of Officers, of State, and Parliament.

5. The 15. *August*, the Letter saith, *that* Coot *called a Councell of Warre, Who resolved it was better to accept of the assistance of those*

those who proclaimed themselves friends to us, and the interest we fight for, &c. Here you see *O Neals* bloody party and those Parliament Champions united, & friendly censpiring to uphold one Common Interest, which can be nothing but the downfall of Monarchy and Protestancy.

6. The 15. *August*, the Letter further saith, *that we* (*Coote* and his Councel of Warre) *added to the Articles this wary proviso, not to use their assistance longer then the approbation of the State of* England *should go along with us therein, &c.* It should seeme by this warinesse, that for the time they had used their helpe, (which was ever since the 22 of *May* last) the approbation of the said State (as they call it) hath gon along thetewith. And for the time they meane to use their assistance hereafter, it is left indifinite; (no longer then the approbation of the State shall go along with us therein) which may happily be untill Doomes-day: notwithstanding the Order, Dated the 24 *August*, 1649. Voting, *That their Vote of the* 10 August, *in the case of Col* Monke, *be communicated to Sir* Ch: Coote, *as the resolution of the House, &c.* For, who knowes whether the Copies of that Vote may miscarry, or be stayed by the way either accidently or purposely.

See *Monke's* Letter of Answer to *Oneale*, Dated 26 *April*, 1649. from *Dundalke*, contained in the last foregoing Section but one: See the said paper, entituled, [*The Propositions of* Owen Roe O Neale, *sent to* C. Monk, &c.] printed at *Corke*, 1649.

7. The 24 *August*, The Letter saith, O Neale *was pleased to communicate to him certaine Proposals, which* (he saith) *were long since transmitted into* England *to the Parliament, by Col.* Monke, *and though for his own part and the prime Officers with him*, (these are privie to the secret carriage of the businesse, and therefore may well be satisfied with what is done already) *they doe not doubt but the Proposals are already yeilded to by the State; yet in regard their Army and party in all other parts of the Kingdome* (these are ignorant of the juggle, and causes thereof) *cannot be satisfied therewith, until the Parliament be pleased to declare themselves more publiquely therein* (it should seeme they have done it privately already for the satisfaction of *O Neale* and his said prime officers) *he hath therefore desired me humbly to intreat your Lordships to declare your resolution therein, with as much speed as may be.* Here you see *O Neale* and his prime Officers (who know the juggle) satisfied already with a private confirmation of the Articles. But to satisfie the rest of his Army and party (to whom this mistery is not yet revealed) a publique declaration thereof is desired, *That they*

may unanimouſly and cheerfully endeavour the preſervation of the Parliaments Intereſt.

The Articles of Agreement between *O Neale* and *Coot* conclude clearly a League or Warre Offenſive and Defenſive againſt the Enemies of both or either, untill a more abſolute Agreement be made and condiſcended unto by the Parliament of *England.* This more abſolute Agreement is now in agitation, and private Directions ſent to *Coot* how to behave himſelf in the Tranſaction thereof: See the 1. Vote, *die veneris*, 24. *Aug.* 1649. See the Relation of the Tranſactions between Sir *Charls Coot* and *Owen Roe O Neal*, printed by Order, 28. *Aug.* 1649.

The Votes upon theſe Letters and Articles were two: Vpon part, in the firſt Vote I have obſerved ſomething already in the 6. branch of this Section, (*viz.*) *that their Votes of the* 10. Auguſt *in Caſe of Col.* Monke *be communicated to* Coote; *and a Direction for him how to behave himſelfe in the Tranſaction between him and* Owen Roe O Neale: This Tranſaction is called in the Articles (*ut ſupra*) *a more abſolute Agreement.* Theſe Letters, Article, and Votes being Apologetically publiſhed for ſatisfaction of the Souldiery and People; it had been fit to have communicated the ſaid Directions alſo to their Truſtors and Soveraigne Lords the People, that they might have ſeen fair play above board, and not to have ſent clandeſtine Directions to *Coote* (in ſo ſuſpitious a buſines) how to behave himſelf in the Tranſaction with *O Neale* which implies the ſaid Tranſaction ſhall be continued and may be compleated; the rather for that their ſecond Vote ſaith, *The Houſe is well ſatisfied of the diligence, faithfullneſſe, and integrity of Sir* Charles Coot *in preſerving the Garriſon of* London-Derry; now it was preſerved by his ſaid Conjunction with *O Neal*, who raiſed the Siege.

208. The Levellors vindicated: or, The Caſe of the twelve Troops, &c.

About this time came forth a Booke, called, [*The Levellors vindicated: or, The Caſe of the* 12. *Troops which (by Treachery in a Treaty) were lately ſurprized at* Burford: *Subſcribed by Six Officers in the name of many more.*] Wherein (p. 2.) they ſay, *That under colour of the Armies ſolemne Engagement at* New-market *and* Triplo-heath, June 5. 1647. *and many other their Declarations, Promiſes, and Proteſtations in purſuance thereof* (which Engagement they affirme (againſt their Preaching Coronet *Denne*)

was

was never yet retracted by any Generall Councell of the Army, nor upon any Petition of the Souldiers, nor their Agitators ever by them recalled or dismissed) *The whole fabrick of this Common-wealth is fallen into the grossest and vilest tyranny that ever English men groaned under, all their Laws, Rights, Lives, Liberties & properties wholly subdued to the boundlesse wills of some deceitfull Persons, having devolved the whole Magistracy of* England *into their Martiall Domination, &c.*

Pag. 7. they say, *That the Souldiers Paper-Debentures are good for nothing but to sell to Parliament men for* 3*s. or* 4*s. in the pound* (which they are forced to sell them for to keep them from starving, because they will not pay one penny Arreares to such as they put out of the Army any other waies) that so they may rob the Souldiers of their Seven years Service, and make themselves and their Adherents Purchasers of the Kings Lands, for little or nothing: and (or ought appeares) the Money they buy these Debentures with, is the Mony the Nation can have no account of. That they have dealt as basely with other Souldiers who never resisted their Commands. 1. They turned them off with onely two moneths pay. 2. They have taken away three parts of their Arreares for Free-quarter, without satisfaction to the Country. And at last force them to sell their Debentures at the aforesaid rates, that those Souldiers that are continued in Armes shall fare no better, when they have served their turns, with them.

Pag. 10. they say, *Their Engagements against the King was not out of any Personall enmity, but simply against his Oppressions and Tyranny on the People; but the use and advantage on all the success God hath been pleased to give us, is perverted to that end, That by his removall the Ruling Sword men might intrude into His Throne, set up a Martiall Monarchy, more cruell, arbitrary, and tyrannicall, than* England *ever tasted of; and that under the notion of a Free-State, when as the People had no share at all in the constitution thereof, but by the treachery and falsenesse of the Lieutenant Generall* Cromwell, *and his Son in Law* Ireton, *with their Faction, was enforced and obtruded by meer Conquest on the People.* And a little after, *now rather then to be thus vassallized thus trampled and trod under foot by such as over our backs have stepped into the Chair of this hatefull Kingship over us, in despight of the consent, choice, and*

allowance of the free people of this land (the true fountain & originall of all just power (as their owne Votes against Kingly Government confesse) we will chuse subjection to the Prince, chusing rather ten thousand times to be his slaves then theirs, &c.

Pag. 11. They Vote and Declare, *The People the Supreme Power, the Originall of all just Authority, pretend the promotion of the Agreement of the People; stile this, the first yeare of* Englands *Freedome; entitle the Government, A Free State; and yet none more bloody, violent, and perverse Enemies thereto: for, not under pains of death and confiscation of Lands and Goods, may any man challenge or promote those rights of the Nation, so lately pretended by themselves. Nothing but their boundlesse, lawlesse wills their naked Swords, Armies, Armes is now Law in* England, &c.

209 Col. *Morrice* Governou of *Pontefract* for the King, Endicted at the Assizes at *York*, condemned, & executed.

16. *August* 1649. Colonell *Morrice* (who kept *Pontefract Castle* for the King) was indicted before Judge *Thorpe* and *Pulleston* at *Yorke* Assizes upon the *Statute of* 25 *Edward* 3. *for leavying Warre against the late King and Parliament.* The Colonel challenged one *Brooke* (Fore-man of the Jury) for being his professed Enemy: but the Court (knowing *Brook* to be the principal verbe, the Key of their worke) answered *Morrice*, he spake too late, *Brooke* was sworne already. *Brooke being* asked the question, Whether he were sworne or no? replied, he had not yet kissed the Booke. The Court answered, It was no matter, that was but a Ceremony; alleaging, he was recorded Sworne, there was no speaking against a Record: Sure they made great hast to Record him sworne before he could kisse the Booke: So *Brooke* was kept in upon this cavill; by whose obstinacy, *Morrice* was condemned. I cannot wonder that legall Formes and Ceremonies are laid by (although Iustice cannot subsist without those legalities to ascertaine her proceedings, which otherwaies would be left at Large to the discretion of the Iudge) when I see our known Lawes *Magna Charta, the Petition of Right*, 3. *Carol.* and the rest, with the fundamentall Government of this Nation, pulled up by the roots to carry on their Designes of enslaving the People to their lusts, notwithstanding the Parliaments Declarations, Remonstrances, Protestations, Covenants, and Oathes to the contrary: and their late Vote in the Act for abolishing Kingly Government. That in all things concerning the Lives, Liberties, Properties and

Estates,

Estates of the People they would observe the knowne Lawes of the Land. But to returne to our Relation: Then *Morrice* challenged 16 more of the Jury; whereat *Pulleston* was so pettish, that he bade *Morrice* keepe his compasse, or else he would give him such a blow as should strike of his head. Vntill *Morrice* cited the *Stat.* 14 *Hen.* 7. fol. 19. whereby he might challenge 35 men without shewing cause: Here you see the Iudges (which ought to be of Councel with the Prisoner in matter of Law) endeavouring to out-face and blind the prisoner with ignorance of the Law, being a Martiall Man. Then he desired a Copie of his *Endictment*, that he might know what to answer; saying, he might plead speciall as well as Generall; which the Court denied him. Next, because there was point of Law in it, he desired to have Councel, citing the *Stat.* 1. *H* 7. fol. 23. which was likewise denied him; yet (I am deceived, if *Rolfe* had not Councell allowed him, being endicted at *Winchester* for *an endeavour to Murther King CHARLES the first*) and had many other favours denied to *Morrice*) then Colonell *Morrice* for his discharge produced the Princes Commission as *Generalissimo* to the King his Father. The Iudges answered, the Prince was but a Subject as *Morrice* was, and if he were present must be tried as he was; and rejected the Commission without Reading: *Morrice* told them, the Prince had his Authority from the King, in whose name all Iudges and Officers did then Act. The Court Answered, the Power was not in the King, but the Kingdome. Observe, they indicted him for leavying Warre against the King and Parliament. The word [*Parliament*] was a surplusage; for which no Indictment could lie: no Allegiance, no Treason; and we owe Allegiance to the King alone; whosoever leavieth War in *England* (in the intendment of the Law) is said to Leavy War against the King only: although he ayme not at his person, but at some other person: And if he that leavyeth War against the King, his Crowne, and Dignity, be a Traitor; how much more must they be Traitors that have actually murthered the King, and dis-inherited his and proscribed his lawfull and undoubted Heire; and (as much as in them lies) have subverted the Monarchicall Government of the Land, and consequently, all Monarchicall Laws; whereof the *Stat.* of Treasons for Leavying War against the Kings Majesty is one; and therefore *Morrice under a free State* ought not to be

condemned or tried upon any Monarchicall Law. So *Morrice* was found guilty by a Jury for that purpoſe. And an illegal preſident began to cut off whom the Faction pleaſeth, under a pretence and forme of Law, without help of a Councell of Warre, or a private Slaughter-houſe, or a Midnight-Coach guarded with Souldiers to *Tyborne*. Theſe Uſurpers have got the old tyrannicall trick, *To rule the People by the Lawes, but firſt to over rule the Lawes by their Lawyers*; and therefore *Ut rei innocentes pereant, fiunt nocentes judices*; that true men may goe to the gallowes. Thieves muſt ſit on the bench; but, *ſilent Leges inter arma*; and now, *ſilet Juſtitia inter Leges, ſilet Jus inter Judices*: the mungrell, hypocriticall, three headed conqueſt we live under hath diſpoyled juſtice of her Ballance, and left her in a Military poſture, with a Sword to ſtrike; but no ſcales to weigh withall: Our licenced News Books (like Ill-Boading-Birds) fore-told and fore-judged *Morrices* death a Month before, *He died reſolutely*. Obſerve the thing aymed at in this new forme of Endictment of High Treaſon, for leavying warre againſt the King and Parliament, is, firſt that the word [*King*] may hold in the Endictment, which otherwiſe would be found to have errour in it; and though the word [*for Leavying Warre againſt the Parliament*] be a vaine ſurpluſage, ſignifying nothing; yet at laſt (by help of their owne Judges, and new-made preſidents) to leavy warre againſt the Parliament, ſhall ſtand alone, be the only Significator, and take up the whole roome in the Endictment, and thruſt the word [*King*] out of dores: and then *Treaſon* ſhall be as frequent as *Malignancy* is now. *Morrice* had moved, he might be Tried like a Souldier by a Councell of Warre, alleaging the inconvenience of ſuch a preſident if the Kings Party ſhould retaliate it, which would not be granted; yet Col. *Bethell* writ to the General and his Councel of Warre, deſiring he might be reprieved: but Col. *Pride* oppoſed it; urging, *That it would not ſtand with the juſtice of the Army*, (you ſee now who is the fountaine of Juſtice) *nor the ſafety of the Common-wealth, to let ſuch Enemies live, the Parliament having adjudged him worthy of death*, (without hearing) *and given inſtructions to the Judges accordingly*. (O ſerviceable Judges!) ſo the Generall was overborne by this Dray-man. This fellow ſitteth frequently at the Seſſions houſe

Three-headed, conſiſting of,
1. Councell of Warre.
2. Councell of State.
3. Parliament.

in

in the *Old Bayly*, where the weight of his Slings turneth the scale of Justice which way he pleaseth.

Col. *Pride's* Dray horses, the Commons in Parliament assembled, not yet satisfied with Blood, because they are out of danger of bleeding themselves; have Voted that *Capt. Plunckett* and the Marquesse of *Ormond's* Brother (Prisoners in *Ireland*) shall be brought to *Tryall*. If the King's Party (in imitation of their Cruelty) shall put to death the Prisoners they have taken, the Parliament will save their Arreares for their owne privy Purse: *These two cases, are examples of the greatest danger, and the highest contempt of Souldiers that ever were set on foot in any Age or Nation.*

210. Capt. *Plunckett* and the Marquesse of *Ormonds* Brother voted to be Tryed.

29. *August*, 1649 came forth a Book, called, [*An outcrie of the yiung Men and Apprentisses of* London: *Or, An Inquisition after the lost fundamentall Lawes and Liberties of* England] truly and pathetically setting forth the slavery, misery, and danger of the Common soldiery and People of this Nation, and the causes thereof: well worth the reading.

211. An Outcrie of the young Men and Apprentisses of *London* concurring with those falsly called, Levellers.

About this time came forth an act (forsooth) for the speedy raising and leavying money upon the Excise: that is (as the act telleth you) upon all and every Commodities, Merchandizes, Manufactures, as well imported or exported as made or growing, and put to sale or consumed, &c. That is, to lay impositions upon all we eate, drinke, weare or use, as well in private houses as victualling houses, ware-houses, cellars, shops, &c. as well what the Souldier devoures in Free-quartes upon us, as otherwise, under unheard of penalties both pecuniary and personall to be paid; and levied with rigor. And to make every mans house lie open to be searched by every prowling Rascall as often as he or they please.

212. Excise.

The Traytors, Tyrants, and *Thieves,* the Commons in Colonel *Prides* Parliament assembled, are now againe frighted into a consideration of Foraigne Plantations: and passing acts, *That they shall all be subject to the new* Babel, *or State of* England: for which purpose they are very busie to undermine, divide, and subject the old and first Planters, that (if need be) these reprobate Saints may come in upon their labors, and the better to accommodate themselves there. In the Act for sale of the Kings, Queens, and

213. Foraigne Plantations.

and Princes perſon all Eſtate, they have given leave to their Agents the Commoſſioners to tranſport beyond Sea (that is to ſay to their own Plantations) (under pretence of ſale) the rareſt and choiceſt of the Kings goods, they heap up abundance of Wealth by Exciſe, Taxes, Gooldſmiths hall, Haberdaſhers hall, Sequeſtrations, couſening the Souldiers &c. That they may tranſport the whole wealth of the Land with them, and leave *Engʳand* naked, diſarmed and oppreſſed with famine, and diſabled to purſue them for revenge, or recovery of their loſſes.

214 More Gifts to the faction.

The ſaid Commons are never wearied with exerciſing their bounty amongſt their own faction out of the publique purſe, about 1300l. to Col. *Fielder*: to *Scobel* their Cherke (heretofore a poore under-Clerke in the Chauncery, who writ for 2 pence a ſheet) beſides an employment he hath already in the ſale of publique Lands worth 1000l. a yeare) a penſion of 500l. a yeare; and a Noble fee for every Copie of an Order taken forth, *totiis quoties*; although moſt of their Orders containe not above three or foure lines; an extortion farre ſurmounting the Star Chamber, or Councell Table, of which themſelves ſo much complained: The *Diurnall* tels you, *an Act was read for ſatisfying the ſufferings of two Members, who have been in the late War damified many thouſands*: theſe (I conceive) to be Sir *Thomas Jervys* and Mr. *Robert Wallope*; this ſatisfaction muſt be made out of the publick purſe, which muſt be filled by Taxes againe out of their private purſes who have loſt as well as they without ſatisfaction, or hopes of ſatisfaction, notwithſtanding many votes that all ſhould be ſatisfied,

Numb. 319 from Monday, *Sep.* 3. to Monday, *Sept.* 10.

215 *O Cromwell* reduceth *Ions's* own Regiment and other Regiments in *Dublin*. Let Sir *C. Coot* and his Regiment in *Londonderry* expect the like.

O Cromwell hath reduced the Officers in Col. *Jones* his Regiment, and other *Dublin Regiments*, notwithſtanding their Valour and fidelity ſhewn in raiſing the Seige of *Dublin*: you ſee he will truſt none but his own immediate Creatures: this Faction caſts out all other men, as quickſilver ſpues out all other mettals (Goold Excepted) ſo that by this, and many other examples, they may ſee that all their faithfull ſervices and blood-ſhed are powred into the bottomleſſe tub of Oblivion; as their Arrears are caſt into the bortomeleſſe bagge of the publique faith.

Sunday 9. *Sept* 1649. At the Church of Saint *Peters Pauls-Wharf*

wharfe, Master *Williams* reading Morning Service out of the booke of Common prayer, and having prayed for the KING, as in that Liturgy (established by Act of Parliament) he is enjoyned, six Souldiers from Saint *Pauls* Church (where they quarter) came with Swords and Pistols cocked into the Church commanding him to come downe out of the Pulpit; which *Williams* immediately did, and went quietly with them into the Vestry; when presently a party of Horse from Saint *Pauls* rode into the said Church with Swords drawne and their pistols spanned, crying out, *Knock the Roagues on the head*, *Shoot them*, *kill them*, and presently shot at randome at the croud of unarmed Men, Women, and Children, shot an old woman into the head, wounded grievously above forty more, whereof many are likely to die, frighted Women with Child, rifled and plundered away their Cloakes, Hats, and other spoyls of the Ægyptians, and carried away the Minister to *White-Hall* Prisoner. You see these Hereticks, Schismaticks, and Atheists that cry so loudly upon *Leberty of Conscience* for their own Blasphemies, will allow no Liberty of Conscience to Protestants, notwithstanding their Doctrine and forme of Service is ancient, allowed, and commanded by known Lawes, and approved of by all the Reformed Churches in Christendome. This strongly argues a designe in the three Kingdomes to root out Protestancy, as well as Monarchy, carried on by a conjunction of councels and forces betweeen that triumvirate of Rebels, *O Neale*, *O Cromwell*, and (as many wise men thinke) *Argyle*: who would not otherwise keepe the Scots from complying with the King upon modest and moderate termes, such as shall leave him in the condition of a Governing King able to protect his people from injuries at home and abroad, without which, he is but —— *magni nominis umbra*, the shadow and May-game of a King. Observe, this provocation was put upon the City when an artificiall mutiny was raised at *Oxford*; and against the great Horse race appointed to be at *Barckley*, the 11 *September*, to draw both City and Country to joyne with the Mutineers: and then the Souldiers should have made their peace by themselves, and have left the rest to the Mercy of the State to raise more mony upon them for *O Cromwels* expedition in *Ireland*, who hath writ for more recruits of Men and Money.

= 216

A violent irruption of the Parl: Janisaries upon the Protestants at Church in St. *Peters Pauls wharfe*, Sunday morne, 9. *Sept.* 1649.

This mutiny was not begun by Levellers.

217. *O Cromwell's* Men ſick in *Ireland.*

Thoſe bloody Saints that accompanied *O Cromwell* into *Ireland* (to make that Kingdome as miſerable and ſlaviſh as they have made this) doe now poure forth the blood of their owne bowels in great abundance: Gods vengeance having viſited moſt of them with the bloody flux; whereof many die: But this is a ſecret that muſt not be knowne to the Ungodly, and therefore *O Cromwell* and his Councell of Warre at *Dublin* have made an Order, Declaring, *That if any Perſon reſiding within the Garriſon of* Dublin, *whether Inhabitants or Souldiers, ſhall* (*upon pretence of writing to their Friends*) *ſignifie the Tranſactions of the army* (between *O Neale*, and *O Cromwell*, it may be) *or their Engagements with the Enemy, ſo as to ſet forth their Succeſſe, or Loſſe, untill firſt the Generall or Councell of Warre have ſignified* (falſified) *the ſame to his Parliament of* England, *they ſhall incurre the breach of the Article againſt Spies, and be accordingly puniſhed with Death &c.* Here you ſee *O Cromwell*, in the firſt Yeare; nay in the firſt Month of his reigne, ſets up a military tyranny in *Ireland*, to which all People, as well not Souldiers as Souldiers muſt ſubmit their Lives and fortunes; and the writing of newes to their Friends in *England*, (whereby their Lies and Forgeries may chance to be contradicted) ſhall be conſtrued to be a Breach of the Article againſt Spies: not becauſe Reaſon and Truth, or the Cuſtomes of Warre calls it ſo, but becauſe the Sword puts this conſtruction upon it. Take notice *Ireland* that this is the firſt yeare of thy Bondage if they prevaile. And take notice *England* that *O Cromwell* and his Councell and Party are reſolved to Lie without controule if they prevaile not; their Letters ſpeake him to be 15000 ſtrong before *Tredagh*, which hath Articled to yeild: That the next he will vouchſafe is *Dundalke*, and that *Ormond* flies from the face of this *Joſua*; and Lying Prophets are ſent over to gull the people into a beliefe. But the truth is, he is not able to draw together above 4000. or 5000. men; unleſſe his Confederate *O Neale* joyne with him: And *Ormond* hath wit enough to know that ſickneſſe and famine in that waſted Country, are ſufficient to deal with *O Cromwell* without his running the hazard of an engagement with ſuch deſperate forlorn Wretches.

218. Col. *Bromfield*, *Hooker*, *Cox*, and *Baynes*, Citizens, who the laſt yeare were committed upon ſuſpition of High Treaſon (to which every

every offence against this new *Babel* State is now wrested (not withstanding the *Stat. 25. Edw. 3.* for limitation of Treasons) as in an infectious season all diseases turne to the plague) and were then discharged for want of matter to make good the Charge: are now againe imprisoned (in the first year of *Englands* Liberty) at the request of *Birkhead* (Serjeant at Arms to the Commons) untill they pay such unreasonable fees as he pleases to exact from them: This had been great Extortion and Tyranny in the KINGS time, when this Nation enjoyed so much Freedome as to call a Spade, a Spade; an Extortioner, an Extortioner; and a Tyrant, a Tyrant. And reason good; for if such Fees be Legally due, *Birkhead* hath Legall meanes to recover them, if not Legally due, it is Extortion in him to demand them in so violent a way; and Tyranny in his Masters the Commons to maintaine him in it.

Unreasonable Fees extorted by *Birkhead* by Dures of Imprisonment; with the connivance of the Commons.

Sir *Henry Mildmay* lately comming to the Tower, and perceiving the Countesse of *Carlisles* window had some prospect to Col. *Lylburns* grates, (out of his parasiticall diligence) told the Leiutenant of the Tower, *That notwithstanding the distance was such as they could not communicate by speech, yet they might signify their intentions, by signes upon their fingers, to the prejudice of the tender, infant State*: and accompanying this admonition with some grave and politick Nods, hasted away to the Councell of State, and (being both out of breath and sense) unloaded himselfe of his Observations there: and was seconded by *Tho. Scot* (the Demolisher of old Palaces, and Deflowrer of young Maydenheads, before they are ripe) who much aggravated the danger, and applauded the Observator. Sure Sir *Henry* hath not yet forgot the bawdy language of the hand and fingers; since he first, in Court began, to be Ambassadour of love, Procuror Pimp or pandor to the Duke of *Buckingham*; and laboured to betray the honour of a fair Lady (his neareſt ally) to his lust, had not she been as Virtuous as he is Vitious, (if it be possible for any Woman to be so) and did actually betray others to him. I can tell you that very lately Sir *Harry* (pretending himselfe taken with the Wind-collick) got an opportunity to insinuate himselfe into a Citizens house in *Cheapside*, and tempted his Wife; but had a shamefull repulse; but more of this I will not speake, least

219. Sir *Har. Mildmay's* Politicke Observations: Chaste Conversation: and first initiation at Court.

his wife beat him, and give an ill example to other women, to the prejudice of our new States men, and their new erected Sodomes and Spintries at the Mulbury-garden at St. *Iames's*.

220 Felons fetched out of Newgate to informe againſt Merchants for not paying Cuſtomes.

Maſter *Gybs* (Maſter of a ſhip) having cauſed three Fellowes to be committed to *New gate* upon Felony, for Robbing him; theſe fellowes ſent to Colonel *Harvey*, *that he would procure their Liberty they would diſcover to him ſeverall Merchants who had lately ſtolne Cuſtomes*: Whereupon, *Harvey* ſends for thoſe Rogues out of *New-gate*, hears their accuſation, approves it, proſecutes the Merchants upon the information of thoſe Villaines, diſcharges them of their Impriſonment by his own power, and recommends them to Colonel *Deane* to be employed in the Navie. And one Miſter *Lovell*, a Silke-man in Saint *Lowrence lane*, is committed to the *Gate-houſe* Priſoner, becauſe he refuſeth to Sweare how many Bayles of Silke he had come over: if the Firſt yeare of our Liberty make ſuch preſidents, what Monſters will the ſixt and ſeventh yeare produce? All Princes begin with moderation; the Elders gave good Councell to *Roboboam*, *Serve the People one day, and they will ſerve thee for ever hereafter*. *Nero* had a commendable *Quinquennium*; but our Novice Statiſts are Tyrants *ab incunabilis*; oppreſſors with ſhels upon their heads, from the Neſt, before they are fledge, what will they be hereafter?

221 *Sommer-hill* given to *Bradſhaw*. A ſop for *Cerberus*.

Sommerhill: a pleaſent ſeat, worth 1000l. a yeare, belonging to the Earle of Saint *Albans*, is given by the Junto to their Bloud-hound *Bradſhaw*, ſo he hath warned the Counteſſe of *Leiceſter*, (who formerly had it in poſſeſſion to raiſe a debt of 3000l. pretended due to her from the ſaid Earle; which ſhe hath already raiſed foure fould) to quit the poſſeſſion againſt our Lady-day next.

The Proteſtation and Declaration.

222 THe premiſes conſidered, *I doe hereby in the name and behalfe of my ſelfe, and all the Free People of* England, *Declare and Proteſt, That the Generall, Councell of Warre, and Officers of the Army*

Army, by their ſaid violent and treaſonable force upon the farre major, more honeſt and moderate part of the Houſe of Commons, (being above 250) and leaving only 50. or 60. Schiſmatick's of their own engaged party ſitting and Voting under their Command, and almoſt all of them ſuch as have and doe make a prey of the Commonwealth, to enrich themſelves and their Faction; have broken diſcontinued and waged War againſt the Parliament, and have forfeited their Commiſſions. And the remaining Faction in the Houſe of Commons by abetting, ayding, and concurring with the ſaid Councell of War, in the ſaid rebellious force; and by ſetting up new, illegall and arbitrary Courts of Indicature to Murder King CHARLS the Firſt, our lawfull King, and Governour (who by his Writ (according to the Law) ſummoned and authoriſed this Parliament to meet, ſit, and adviſe with him, and was the fountaine, head and concluſion or conſummatory end of the Parliament and Supreme Governour over all Perſons, and in all cauſes of this Kingdome) and by aboliſhing the Houſe of Peers and the Kingly Office, and Diſ-inheriting the Kings Children, and uſurping to themſelves the Supreme Authority and Legiſlative Power of this Nation, in order to make and eſtabliſh themſelves a Councell of State, Hogens mogens or Lords States Generall, and tranſlate the ſaid Supreme power and Authority into the ſaid Councell of State, and then Diſſolve this Parliament and perpetuate their ſaid Tiranny and this Army, and Govern Arbitrarily by the Power of the Sword, and raiſe what illegall Taxes they pleaſe, and eat out, conſume and deſtroy whatſoever will not baſely ſubmit to their Dominion. Have by the aforeſaid waies and means totally ſubverted this Commonwealth, and deſtroyed the fundamentall Lawes, Authority and Government thereof, Diſſolved and aboliſhed this and all future Parliaments, ſo that there is now no viſible, Lawfull Authority left in England, *but the Authority of King CHARLES the ſecond, who is actually King of all His Dominions preſently after the deceaſe of the King his Father, before any Proclamation made, or Coronation Solemnized, notwithſtanding that by His utmoſt Baniſhment (cauſed by the interpoſition of the ſaid traiterous, combined, Antimonarchicall Faction) he be eclipſed for the preſent and not ſuffered to performe any acts of government to his three Kingdomes, and reſtore Peace, plenty, juſtice, mercy Religion, Lawes, and Liberties, to them againe, which no hand but his*

Principium, Caput & finis Parliamenti.

Oathes of Allegiance and Supremacy.

See 1. part, ſect. 105. 106. and the Concluſions, 15. 16. 17. 18. and returne to ſect. 79. 109. 110.

Stat. of Recognition, 1 *Jac.* Oathes of Allegiance and Supremacy.

owne can beſtow; and therefore in vain doe the people long for and expect Figgs from Thiſtles, Grapes from Thornes: This Kingdome of the Brambles now ſet up, being onely able to ſcratch and teare, not to Protect and Govern them. I farther Declare and Proteſt, That this combined trayterous Faction, have forced an Interregnum *and a* Juſtitium *upon us, an utter ſuſpenſion of all Lawfull Government, Magiſtracy, Lawes and Iudicatories; ſo that we have not* de jure, *any Lawes in force to be executed, any Magiſtrates or Iudges Lawfully conſtituted to execute them; any Court of Iuſtice wherein they can be judicially executed; any ſuch Inſtrument of the law as a lawfull Great Seal, nor any Authority in* England *that can lawfully Condemn and Execute a Thief, Murderer, or other Offendor, without being themſelves called Murderers by the Law, all legall proceedings being now* coram non Judice; *nor can this remaining Faction in the Houſe of Commons ſhew any one Preſident, Law, Reaſon or Authority whatſoever for their aforeſaid doings, but onely their owne irrationall tyrannicall Votes, and the Swords of their Army: Wherefore I doe further Declare and Proteſt before God and the World, That all Free-borne Subjects of the Kingdoms of* England *and* Ireland, *are bound by the Stat. of* Recognition, 1. Jac. *and by all our Lawes and Statutes, By their Oathes of Allegiance, Obedience and Supremacy, the Proteſtation and Nationall Covenant, by very many Declarations, Remonſtrances, Petitions and Votes of this Parliament; and all Souldiars are engaged alſo by their owne Declarations, Remonſtrances, & Propoſalls, to defend, aſſert, and vindicate, With their lives and fortunes, the Perſon, Authority and Title of our aforeſaid Lawfull KING and Supreme Governour (the undoubted Heire of all His late Fathers Dominions) CHARLS the Second, by the Grace of God, King of* Great Britaine, France *and* Ireland, &c. *againſt all Oppoſites and pretended Authorities whatſoever, unles they will be guilty of the fowleſt ſinnes of Treaſon, Rebellion, Perjury, and perfidiouſneſſe againſt their God, their King and Country; and of proſtituting the Religion, Lawes and Liberties of the Land, their Wives, Children, and Eſtates, to the luſts of an Armed Faction uſurping a farre more Arbitrary and Tyrannicall power over our Conſciences, Perſons, Liberties and Eſtates then ever was known in* England *before, or then is now uſed by the* Ruſſe, Turk, *or* Tartar, *or any the moſt enſlaving and lawleſſe Tyrants under Heaven.*

An

An Exhortatory Conclusion to the English Nation.

TO conclude the series of Affaires and Action on both Parties (especially of late) rightly compared, it appeareth by the sequele, That King CHARLS the First, from the beginning took up Defensive Arms to maintain Religion, Laws, Liberties, and the ancient fundamentall being of Parliaments and this Kingdome; and that there alwayes was, and now especially is, a predominant Faction in Parliament (notwithstanding their frequent Declarations, Remonstrances, Petitions, Protestations, Covenant, and Votes to the contrary) conspiring with a party (especially of Commissioned Officers of the Army) without the Houses to Change the Fundamentall Lawes and Government of the Church and Common-wealth, to usurp into a few hands the Supreme Authority, to enslave the people with an Oligarchicall, Military, and Arbitrary Government, to raise what illegall Taxes they please to establish their tyranny and enrich themselves and their party, to oppresse, consume and devour all Men of a judgement contrary to their Interest; to Murder them by new-declared arbitrary Treasons, contrary to the *Stat.* 25. *Edw.* 3. for ascertaining Treasons; to Disfranchise them of their Birth-rights, and make them *Adscriptitios Glebæ*, Villains Regardante to their own Lands, which the Nobility, Gentry, and Yeomanry plough, sowe, and reap, whilst Brewers, Draymen, and Coblers eate, drink, and play upon the sweat of their labours; and are the Usufructuaries of their Estates. All which they have lately brought to passe; wherefore let all true Englishmen (as becomes good Christians, good Patriots, and gallant men) claime their Birthrights: and with one voice cry out,

1. *We will not Change our Antient, setled and well approved laws to which we are sworn.*

2. *We will not Change our Antient and well tempered Monarchy to which we are sworn.*

3. *We will not change our old Religion for new Lights and inventions.*

4. *We will not subject our selves to an eighth part of one Estate or House of Parliament, sitting under a force, and having expelled two hundred and fifty of their Fellowes (more righteous than themselves) by force, and usurping to themselves the Supreme Authority.*

5. *We will not be subjected to a new Supreme Authority usurped* by

223. Compare the Date of the K. Commissions with those of the Parliament and their Declarations on both sides.

by forty ambitious, covetous Tyrants, arrogating to themselves to be a Councel of State, and designed to supply the roome of Parliaments, under what name or title soever they shall maske themselves.

See the Stat. of Recognition, 1. *Jac.* and the Oathes of Allegiance, Obedience, and Supremacy.

6. We will not submit our selves to a Military Government, or Councell of Officers.

7. We must and will have a KING, and the KING whom the Lawes of God and this Land have Designed to us, we being by the Oathes of Alleagiance Obediance, and Supremacy sworn to beare faith and true Allegiance to King CHARLES the first his lawfull Heyres and Successors.

Hic telum infigam, moriarque in vulnere ——

Postscript.

READER, at the latter end of my first part of *The History of Independency*, I have presented to thy consideration, some Generall Conclusions arising out of the Premises; the same Conclusions do as naturally arise out of the premises of this second part of the History: and doe as aptly serve to illustrate this Second, as that First part; wherefore to that First part I send thee for opening thy understanding.

When our Lawes run againe into their Ancient Channel, and the Sword of Murder is sheathed, and the Sword of Justice drawne; the Author engageth to publish his Name and Apologie, and shew what he hath done and suffered for the Parliament and Kingdome.

THE END.